

Please file this demand to the docket **No. CC 19-cr-877-NJ-Cecchi**

**Thank you**

**Joby Weeks**

**11627 w74th Way**

**Arvada CO 80005**

From the Desk of:

Jobadiah from the House of Weeks, aka,  
Jobadiah-Sinclair:Weeks one of  
“the people” as seen in the organic  
Constitution 1791 and beneficiary of the  
JOBADIAH SINCLAIR WEEKS Cestui  
que social security Trust.

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, Plaintiff ) Case #19-cr-877-nj-cecchi,

) cc 019-mj-8526

)

)

v.

) **1<sup>st</sup> Amended Ex Parte Demand**

JOBADIAH SINCLAIR WEEKS, ET AL ) **Requirement for Dismissal**

NOM DE GUERRE, Accused )

)

**Ex Parte Demand for Dismissal; Challenge to Jurisdiction, Violations of Self-Executing, Unalienable Constitutional Rights, Breach of Fiduciary, Theft, Kidnapping, Frauds, Crimes Against Humanity, Human Trafficking, Violations of International Treaties, RICO, the separation clause in the Constitution and other matters of law**

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

*American Maxims of Law*

**“The law helps the vigilant, before those who sleep on their rights”**

As Sovereign Living Man, I ordain and require that this Demand for Dismissal SHALL be Submitted **Ex Parte**, because, Pursuant to the Constitution, the Common Law and Supreme Court Decisions, these Violations provide for Adjudication and a Ruling Based Upon Self-Executing Rights, thus Lawfully Depriving the Government from Any Action

*"Our rejection of state [federal] procedural restrictions on the invocation of constitutional defenses follows from the fact that constitutional rights are "self-executing prohibitions on governmental action." City of Boerne v. Flores, 521 U.S. 507, 524 (1997).*

**MAXIM:** *John 15:20: The servant is not greater than his lord [Sovereign Master].*

*Chisholm v. Georgia, (US) 2 Dall 419, 454, L. Ed. 440, 455 @ Dall (1793) pp 471-472:*

*"... at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects... with none to govern but themselves..."*

**MAXIM:** *All political power is inherent in the people, by decree of God, thus none can exist except it be derived from them.*

***Submitted as Affidavit of Truth,***

*via efile, email and using the postal rule with instructions to the Clerk of the Court to distribute accordingly to all interested parties*

**MAXIM:** *Unrebutted Affidavit becomes a Judgment in Commerce.*

*See Heb. 6:16-17*

**MAXIM:** *The Judge is Counselor for the Prisoner*

I am jobadiah from the House of Weeks, aka Jobadiah-Sinclair :Weeks, aka Joby :Weeks, **Sui Juris**, and I submit these papers following the common law, as an agent for, JOBADIAH S. WEEKS, the corporate construct also known as Jobadiah Sinclair Weeks, treasonously, unlawfully and surreptitiously created by Plaintiff, who is also an artificial corporate creature known as the UNITED STATES OF AMERICA. I am a private, Sovereign living man, created of flesh and blood by our Almighty Father, in His image, standing in Yahuah God's kingdom. I gave my life to God, and I am under a Trust covenant with God, with my body in Trust, with me as Trustee of this God Trust covenant. I submit this affidavit by limited, divine, Special Appearance to settle this matter of the Trust, today. I state that all testimony herein is true and correct to the best of my knowledge, and I so affirm in the presence of our omnipotent Almighty God, who is the Supreme Arbiter of the Law.

**MAXIM:** *Truth is expressed in the form of an Affidavit. See Lev. 5:455; Lev. 6:3-5; Lev. 19:11-13, Num. 302; Matt. 5:33; James 5:12.*

**MAXIM:** *An unrebutted affidavit [via Findings of Fact, Conclusions of Law, and a Timely Decision] becomes Judgment. See. Heb. 6:16-17.*

Let the record reflect that on February 5, 2025, a “Faretta hearing” was held followed by an Order of the Court granting the unconditional dismissal of my BAR-member attorneys. During that hearing a discussion ensued regarding the documents I filed on Jan 22<sup>nd</sup> 2025 that have still NOT been placed on the docket, including the recission of my signature on the plea statement, my counter claim, changing up the conditions of release and whether I wanted assistance but NOT representation of standby counsel amongst other things. See, <https://jobyweeks.com/legal-case/>

No standby counsel was assigned. To be clear, let the record reflect that I unconditionally reject any standby counsel. The reason being that BAR-member attorneys, even as standby “counsel” deprives me of my unalienable Right to exercise my self-executing, unalienable Rights guaranteed and protected within the organic Constitution. A BAR-member attorneys’ **“first duty is to the court, not to the client”**, having no fiduciary duty to the client. See *7 Corpus Juris Secundum Section 4 Attorney and Client*. This constitutes a conflict of interest and is **unconscionable**. See also *The Doctrine of the Belligerent Claimant, Judge James Alger Fee wherein I must exercise my constitutional Rights in person/[affidavit]*. In addition, according to *7 C.J.S. §§ 2-3 Attorney & Client*, Clients are also called **“wards of the court in regard to their relationship with their attorneys.”** Wards of Court is defined in Black’s Law 6<sup>th</sup> ed page 1584 as *“infants and persons of unsound mind placed by the court under the care of a guardian”*. I am of sound mind and rebut all such false presumptions about me.

During the hearing, I brought forth a requirement for “case dismissed” but I was informed by Magistrate Hammer that he doesn’t have the authority to dismiss this case. He told me that he would give me a week to submit a list of my requirements going forward for him to review. My requirement is the restoration of my constitutionally protected rights and “case dismissed”. Thus, I’m copying Magistrate Hammer and the prosecution team with this document but I’m directing this demand to dismiss this case, which took me all weekend to write, to Judge Cecchi, following the Common Law **Ex Parte** because violations and deprivations of self-executing Rights are a complete defense and provide full entitlement to automatic dismissal with prejudice in accordance with the papers submitted and the remedies sought therein. Indeed, *“Our rejection of state [federal] procedural restrictions on the invocation of constitutional defenses follows from the fact that constitutional rights are self-executing prohibitions on governmental action.”* *City of Boerne v. Flores* 521 U.S. 507, 524 (1997). Additionally, as found in

*State ex Rel. v. Bliss, Supreme Court of Ohio, Oct. 19, 1951, "the presumption now is that all provisions of the constitution are self-executing... by the knowledge that if not treated as self-executing, the legislature [government/prosecutor] would have the power to ignore and practically nullify the directions of the fundamental law."*

Breach of fiduciary duty is also a complete defense and can likewise be brought forth **Ex Parte** when the Trust indenture clearly states the duties for all to see, in accordance with the requisite elements to establish a lawful fiduciary relationship.

As a matter of law, breach of fiduciary duty requires the moving party to demonstrate specific elements, such as the existence of a fiduciary relationship, the breach of that duty, and damages resulting from the breach.

In this cause of action, the organic Constitution 1791 is the instrument that created the fiduciary relationship between the federal government and me, one of We the [American] People, as seen in that instrument. This constitution was designed to limit the powers of government and to guarantee that all God-given, Natural Rights are forever preserved for the benefit of the Beneficiaries of this Trust indenture. The instrument denotes 18 limited and enumerated powers in the form of services the officers of the federal government are duty-bound to provide for the benefit of We the [American] People, who created and are the source of that Trust indenture. As a Sovereign Man, holding Superior status over any government, our ancestors established that instrument, for posterity, creating a Public Trust, and giving the federal government the power to properly administer the Public Funds, of which the government, through its duty-bound public servants, are charged with administering and jealously preserving the Public Trust and the Public Funds for the benefit of The People, while simultaneously jealously safeguarding the God-given, Natural, self-executing, unalienable Rights of the Beneficiaries, The People as seen in that Trust indenture.

In the case of the judicial branch of government, the constitutional judges are the Trustees on behalf of the Beneficiaries, of which I am a Beneficiary as being one of The People as seen in the organic Constitution 1791. Magistrate "judges" and all other judicial officers are duty-bound via their oath or affirmation (and bond) to uphold the organic Constitution 1791. Thus, the relationship is clearly established as Master/Servant, and as Trustee/Beneficiary.

The organic Constitution 1791 also enumerates an exhaustive but vital list of precedent self-executing God-given, unalienable, Natural Rights, each one of which must be protected against government abuse/deprivation/violation. Because the organic Constitution demands that all judicial officers take an oath or affirmation (with bond) to uphold that instrument, they are all also duty-bound to safeguard the Rights of We the

[American] People. Any violation/deprivation/abuse of our Rights, and any abrogation of those duties' vis a vis the provisions within the body and the Bill of Rights of the organic Constitution 1791 constitutes breach of fiduciary duty and acts of treason, which in turn gives rise to a complete defense and dismissal with prejudice.

Damages resulting from breach of fiduciary duty by our public servants, within the scope of judicial procedures, cannot be fairly assessed because, what price can you give to any loss whatsoever of our most sacred Right, that of our Liberty and Freedom that was divinely given to The People by our Almighty Father? These damages, as a matter of law, are to be assessed by each individual living man or woman who has been forced to endure false imprisonment and worse.

**MAXIM:** *Remedy signifies the judicial means for enforcing a right or redressing a wrong.* *Walters v. City of Ottawa, 88 N.E. 651, 654, 240 111, 259.*

**MAXIM:** *Extraordinary conditions may call for extraordinary remedies.* *Schechter v. United States, 295 U.S. 495, 528.*

The wonton deprivation/violation of our unalienable self-executing Rights during judicial proceedings is so egregious that in *Ex Parte Hayburn (1808)* the Court established that state [federal] officials could be sued in federal court [supreme court] for violating federal law affirming the principle of self-executing rights.

I declare and assert that the self-executing Rights also gives rise to self-executing judgments: *Those requiring no affirmative action of the court or action under process issued by the court to execute them.* *IETNA Casualty & Surety Co. of Hartford Conn. v Board of Sup'rs of Warren County, 160 Va. 11. 168 S.E. 617, 629.*

I humbly come to this Article III Common Law Court of Justice/Record, in the posture of an outspoken lover of Liberty with strong, deep American roots (S.A.R. and Society of the Cincinnati) and a respect for the rule of law and justice. Despite the fact that my government has failed to protect me and my Rights, and has purloined the sovereign living men and women of this great nation, I stand tall and resolute and I irreverently claim my heritage from those that have usurped our rightful Republican form of government, and deceived the American People, thus betraying our trust in them as our Trustees and public servants.

This Sovereign American Man, whose ancestors helped build this country from its inception as Officers in the American Revolution, Senators, Congressmen and Secretaries in various Presidential Cabinets, has been egregiously and irreversibly harmed by the alleged Plaintiff, the UNITED STATES OF AMERICA, and by judicial officers who have ignored the rule of law, and their respective oaths to uphold the organic Constitution

1791, for the primary purpose of committing the common law crime of Barratry, which is a felony. See *State v. Batson*, 220 N.C. 411, (1941), 17 S. E. 2d 511, Decided Nov. 1, 1941.

In so doing, these actors, masquerading under the color of law and under the color of authority, have positioned themselves to rob and plunder my Trust Funds, as the lawful Beneficiary thereof, via intentional concealment of this material fact, which is fraud, and *fraud vitiates all*. See *United States v. Throckmorton* 98 U.S. 61 (1878).

During the first eleven months of unlawful incarceration, I was physically, mentally and emotionally tortured, holding me for up to 72-hour periods at a time in solitary confinement, and repeatedly denying me Bail for those 11 months until they coerced and intimidated me to such a degree that, against my Will, religious beliefs and conscience, I succumbed to these tactics, in violation of my self-executing, unalienable Rights to freedom against cruel and unusual punishment, and to reasonable Bail at the time of arraignment both found in the Eighth Amendment.

I herein affirm that, via these papers submitted on the Record in this Court, I have given Notice to ALL the UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY judicial officers by individual name, and others within that venue, as John Does and Jane Does, in my Superior, Proper and Divine Standing as Sovereign Living Man. But for Judge Cecchi, whose only lawful capability in her capacity is to dismiss with prejudice this cause of action due to the jurisdictional issues and matters of law alleged herein, I have DEMANDED ALL other judicial officers within this for-profit corporate construct, federal district court to immediately recuse themselves from this cause of action as they have all been SUED in the *Supreme Court of the United States*, in their official capacity, in their individual capacity, and as part of a syndicated cartel who have committed crimes against humanity by depriving me, directly or indirectly, of my God-given, Natural, self-executing, unalienable Rights as seen in the organic Constitution and its treaties. In the event Judge Cecchi elects not to dismiss this cause of action with prejudice as demanded herein, she too SHALL immediately recuse herself as a named-Respondent in the corresponding Counterclaim lodged in the Supreme Court of the United States. When a party is sued, it creates an inherent conflict of interest, which deprives the accused/petitioner of any iota of Due Process of Law as found in the Fifth Amendment and deprives one of The People of any possibility of receiving a fair trial in these proceedings, now or in the future.

Any further actions taken against me from any of these actors, masquerading under the color of law and under the color of authority, shall be construed as wonton and malicious acts of treason, pursuant to the organic Constitution, punishable, up to death. Proper Notice is hereby given that this is my last attempt to obtain justice within this venue. I

demand immediate dismissal with prejudice in accordance with these papers and with the lawful remedies sought herein. This being a Demand following the common law, statutes and local rules of court do not apply. Therefore, failure to dismiss with prejudice *within 3 days* shall constitute this court's defiance to follow the common law and the rule of law, which is found in the organic Constitution 1791. In exchange for lawful dismissal with prejudice in accordance with these papers and with the lawful remedies sought herein, I shall agree to drop all charges currently lodged in the *Supreme Court of the United States*.

Let the record reflect that I have notified all actors collectively and separately via service to the Clerk of Court in that venue, or via registered mail to those who hold fiduciary positions, which constitutes lawful chain of custody. In a recent filing in this court, I have already included a copy of the envelope and the receipt of the Counterclaim papers I filed in the *Supreme Court of the United States*, attention Honorable Justice Neil M. Gorsuch, along with a certificate of authenticity that said envelope contains the papers that the district court oath-takers were already served. In accordance with mailing protocol, registered mail constitutes valid service at the time of its mailing.

I have also served the following officials via registered mail by sending them a copy of these papers, in the same manner as above. Any further pursuit of criminal acts against me shall also be immediately communicated to these same officials, *Commander-in-Chief of the United States, President Donald J. Trump, to the U.S. Attorney General, to the Governors of Colorado and of New Jersey, and to the Attorneys General of New Jersey and of Colorado*.

I hereby affirm that any further pursuit of these proceedings against me shall also immediately be communicated to *the International Courts of Justice at the Hague* and at *Guantanamo Bay*, demanding the immediate arrest of any or all these bad actors. When Sovereign Man or Woman, whose self-executing unalienable Rights come from Almighty God, have endured deprivations and violations of those Rights at the hands of any judicial officers, who have taken an oath to uphold the organic Constitution, they have now committed crimes against humanity, and treason, pursuant to the various Treaties that have been agreed to pre and post the Constitution. The International Courts of Justice are the venue wherein these crimes against The People are adjudicated, which includes any SCOTUS justices who likewise fail to jealously protect the unalienable self-executing Rights of the American People.

To be denied my reasonable requests herein would constitute deprivation of due process of law, as an unalienable, self-executing Right found in the Fifth Amendment of the Bill of Rights and it would deprive me of the protections inherent in our organic Constitution to protect the Sovereign American People from the government and its actor/agents to deceptively and cunningly appoint new prosecutors, clerks of court, federal judges and

magistrate “judges” within that district to continue pursuit of their criminal actions against me. It would also constitute my inability to obtain a fair Trial by Jury, from my peers, conviction and sentencing, as a due process of law right, pursuant to the Fifth and Seventh Amendments of the Bill of Rights.

I hereby declare and affirm that I reject the Doctrine of Parens Patriae, as being unconstitutional against a Sovereign Living Man.

The judges, prosecutors, lawyers, and agents of the 3 letter agencies named herein have been colluding with each-other and they have committed the following inexhaustive list of crimes/offenses against me: They have failed to uphold the oath they took to the US and State Constitutions and are warring against it; Breach of Fiduciary Trust; Attacking a Beneficiary of a Constructive Trust they were unlawfully administering; Breach of their fiduciary duties under that Trust as Trustees, and me as Beneficiary; Invalid and unlawful warrants issued, resulting in a false arrest and unlawful searches and seizures absent probable cause not supported by Oath or affirmation, in blatant violation of the Constitution; Fraudulent charges predicated on unsworn petitions by prosecuting attorneys; Deprivation of self-executing rights for a trial by jury; Confiscation and theft of property without the due process of law; Physical, mental and psychological torture; Denial of bail as an unalienable self-executing Right, especially for non-capital alleged offense; Self-executing Right to a speedy trial; Coercion to make a plea statement under circumstances of torture and 11 months of unlawful incarceration without a trial, and without the right to face my accusers; Cruel and unusual punishment; Crimes against humanity; Unlawful conversion of me into a “person” (fictitious entity) in a deceptive and fraudulent attempt to gain jurisdiction; Human Trafficking and treason.

The coordinated actions of the SEC, FBI, IRS, DOJ, legislatively created inferior courts, and their co-conspirators demonstrate the hallmarks of a criminal enterprise: a repeated and organized pattern of fraud, extortion, defamation, and jurisdictional overreach aimed at seizing BILLIONS in assets and consolidating control over the digital asset market. This is the biggest Bitcoin case in the world! The government has caused billions of dollars in damage to over a million people. As “counselor for the prisoner” and as an oath-taker, I come to Judge Cecchi, for your help to right this wrong, to seek remedy for myself, and, upon their request, to seek remedy for all the innocent God-given Sovereign men and women who were also wronged when this rogue and treasonous government unlawfully seized the assets of Bitclub Network.

For supporting evidence, please watch my brief whistle blower video at

<https://JobyWeeks.com>

Before the establishment of the United States Constitution in 1791, the process of bringing forth criminal actions and conducting legal proceedings in the American colonies varied significantly from one jurisdiction to another, largely influenced by British common law and local customs. Law enforcement was typically handled by local officials such as constables, magistrates, or sheriffs. Sheriffs had significant responsibilities for maintaining order and could apprehend individuals suspected of crimes. Initial Proceedings were initiated via a verified statement from either a harmed man or woman, or from a firsthand witness to a crime. The sheriff would then call upon a common law grand jury who, exclusively and in complete secrecy, conducted investigations, asked the assistance of the sheriff to further investigate within the community, called in witnesses to hear their testimony, and eventually determined if in their sole opinion there was sufficient probable cause to bind over a man or woman, via a presentment, bill of information, or indictment.

The common law grand jury served as a check on the government's power to prosecute, protecting citizens from unwarranted charges. Of note, while common law grand juries constitute a protected Right within the organic Constitution, the body of the same instrument is silent on a grand jury. Therefore, common law grand juries are wholly separate from any of the three branches of government. None of these branches can exert any power whatsoever in their function. The only individual in the judiciary who is ever a "part" of the common law grand jury is the judge, whose only intervention is that of administering the jurors' oath. See *United States v. Williams* 504 U.S. 36 (1992).

In contrast, statutory grand juries, which are not the law of the land, have essentially become nothing more than a rubber stamp for prosecutors to cherry pick cases, scribble words on pieces of paper in the form of alleged indictments, bills of information, or presentments, that are nothing more than statutory violations, with no verified statements, utilizing innovative and legislatively created crimes, unlawfully housed within the umbrella of Title 18 of the United States Code, with no constitutional authority to adjudicate common law crimes, and then committing expedited barratry via coerced "plea agreements" to dispose of these cases and finally clandestinely line their pockets with "kickbacks" from the Public Funds within the Public Trust, which specific funds lawfully belong to the Beneficiary/accused, with no consent, or even disclosure ...rinse and repeat as they routinely commit RICO and human trafficking violations.

To unpack the above paragraph, as a matter of law, constitutional judges must follow the common law, and they must exercise judicial power. When a judge accepts an indictment, bill of information, presentment, none of which have a verified statement from a firsthand witness or from the harmed man or woman, he is committing an act of

treason, and he is violating and depriving the accused of due process of law, found in the Fifth Amendment.

Statements from prosecutors are lawfully inadmissible as evidence. B.A.R.-member attorneys, government servant/prosecutors cannot admit evidence into this court on behalf of the plaintiff, as stated in *Trinsey v. Pagliaro D.C. Pa. 1964229 F. Supp. 647* “*An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness.*” He cannot wear both hats. *Any testimony submitted by the prosecutor/attorney for the plaintiff is hearsay and the prosecutor exposes himself to cross-examination.* *United States v. Lovasco (06/09077) 431 U.S. 783, 97 S. Ct 2044, 52 L.* “*Manifestly, [such statements] cannot be properly considered by us in the disposition of [a] case.*” In other words, there must be a competent first-hand witness (a body, a *corpus delecti*). There must be a real man or woman making the complaint, thereby having standing, and directly bringing evidence before the court. Corporations, such as the UNITED STATES OF AMERICA, only exist on paper and can’t testify, depriving me of my self-executing Sixth Amendment Right to confront and to cross-examine. Therefore, both the indictment and the bill of information are fatally defective for lack of common law substance and procedure, depriving me of due process of law as found in the Fifth Amendment. The plea agreement and these proceedings are therefore null and void as a matter of law.

Similarly, judges, who are duty-bound to follow the common law, deprive me of due process of law when they accept at face value, complaints that allege statutory violations as their basis to bring forth a claim, which also makes them enforcers of statutes, rather than adjudicators of common law crimes via the exercise of their judicial power.

As a matter of settled law, proper Notice is a fundamental element of due process of law. When a judge accepts a claim based upon statutory violations, he is not following the common law, he is not exercising judicial power, and he is depriving me of due process of law for ambiguity and vagueness within these codes/regulations/statutes/etc. “*the common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy, and statutes are 'not the law'*”, *[Self v. Rhay, 61 Wn (2d 261) U.S. Supreme Court Decision – “all codes, rules, and regulations are for government authorities only, not human/Creators in accordance with God's laws. All codes, rules, and regulations are unconstitutional and lacking due process...” Rodrigues v. Ray Donovan (US Department of Labor) 769 F. 2d 1344, 1348 (1985)]* Thus, enforcing statutes, etc. violates Due Process of Law, which is a self-executing, protected and secure unalienable Right found in the Fifth Amendment, and entitling me to dismissal with prejudice.

In 1871 our Congress committed treason against the People when it usurped the authority of the organic federal government and passed the *Organic Act of 1871* in which it changed the form of government of the Republic from a Republican form of government, as promised in the organic Constitution at “Article 4 Section 4 to a foreign

corporation. SEE ORGANIC ACT OF 1871 PAGE 419, and see the government's code at 8 USC Section 3002, 15(A) "*United States means a Federal Corporation.*" In a recent interview with *General Mark Milley* on March 20, 2024, where he testified regarding Afghanistan, he confirmed that the United States is a corporation, *the current Congress is the Board of Directors of the corporation*. Video of General Milley's testimony: <https://www.youtube.com/watch?v=-E8K13hy9Rk> (begin at 30:20 to 30:58).

By what organic Constitutional authority did the de jure congress convert the federal government into a foreign federal government in relation to the several states, and to The People of the several states? That act represents an act of treason, and of breach of fiduciary duty to The People, rendering the de facto federal government devoid of any limited sovereignty it may have presumed to have had. A government with no sovereignty has no authority or power to enact or to enforce any laws whatsoever against The People of the Republic. For purposes of this paragraph, our de facto government has been operating in treason since at least 1871, rendering them impotent to enact any laws since then, or to enforce any of their statutes, etc., entitling me as one of The People to dismissal with prejudice.

Plaintiff, by and through its agents, have routinely violated, deprived and trampled my self-executing unalienable Rights; and they have committed breach of fiduciary duty against me, and against the American People, who placed certain powers and assets in their hands with the expectation of loyal and sound administration in accordance with the organic Constitution 1791.

For our federal government to have Standing as plaintiff it must be providing the Sovereign American People all the services to which it is bound by the organic Constitution and all laws that have been duly passed by Congress which confer specific services that are constitutional in nature. Any deviation from its duties constitutes fiduciary breach of duty, which immediately deprives plaintiff-government from bringing forth any charges against any one of the Sovereign American People, thus rendering the Indictment, Bill of Information, Presentment, or any kind of complaint, null and void ab initio. *Public Law 108-447, Section 111* was duly enacted in 2004, to commemorate September 17, 1787, signing of the US Constitution. Congress designated September 17th of each year as CONSTITUTION WEEK. "*Each educational institution that receives Federal funds for a fiscal year shall hold an educational program on the United States Constitution on September 17 of such year for the students served by the educational institution.... Each Federal agency or department shall provide educational and training materials concerning the United States Constitution to each employer... on September 17 of each year.*"

This Public Law, to which our government is bound to obey, falls in line with the Founding Fathers' belief that continuous exposure to education regarding the organic

Constitution and the Rights secured and protected therein is a primary object. Therefore, this dereliction of duty constitutes a fundamental breach of fiduciary duty to the Sovereign American People. *"A primary object... should be the education of our youth in the science of government. in a republic, what species of knowledge can be equally important? And what duty more pressing... than communicating it to those who are to be the future guardians of the liberties of our country."* George Washington.

Yet, our federal government ignores the laws it has passed in accordance with the organic Constitution, in favor of educating/indoctrinating the youth of our nation instead on such things as Critical Race Theory (CRT), proper condom placement on a male doll demonstrating this technique to our youth as young as 8 years old, different positions for sexual intercourse, fellatio, anal sex, and other abominations.

Both the Preamble of the organic Constitution and Article I, Section 8, Clause I of the same instrument promise the federal government shall promote the general welfare, such as providing funds for public education. The Public Law mentioned above promises the promotion of general welfare in the form of education of the American People regarding the fundamental science of government in a republic via education regarding the organic Constitution. Our federal government falls woefully short of this constitutional duty, which was quantified in the *"September 17 Constitution Week"* provision. Therefore, I assert that Plaintiff has no Standing to bring forth any cause of action against me due to this breach of fiduciary duty to We the [American] People because they are not educating the Sovereign American People in the fundamental laws of our land found in the organic Constitution. Breach of fiduciary duty entitles me to dismissal with prejudice.

Throughout these papers, I will refer to many other breaches of fiduciary duty by our federal government, but I hereby assert that only one breach of fiduciary duty and/or only one deprivation/violation of any of my self-executing unalienable Rights is sufficient to strip the federal government of any power it may presume and assume to have over any Sovereign American living man or woman, and entitles me to a complete defense and dismissal with prejudice in accordance with these papers and the lawful remedies sought herein.

The question often arises as to whether constitutional provisions are to be construed in accordance with evolving modern times, or as originally written. *"On every question of construction [let us] carry ourselves back to the time when the Constitution was adopted, recollect the spirit manifested in the debates, and instead of trying what meaning may be squeezed out of the text or invented against it, conform to the probable one in which it was passed."* One of the Founding Fathers, Thomas Jefferson.

The question of what constitutes a self-executing unalienable Right can arise regarding whether this Court can hear a counterclaim of this nature **Ex Parte**. Since the Founding Fathers told us to seek guidance from the plain letter of the law, as originally written, I define Self-executing from Black's Law 1st Edition: Constitutional Provision: immediately effective without the necessity of ancillary legislation [debate or governmental rebuttal]. *Cleary v Kincaid*, 23 Idaho, 789, 131, P. 1117, 1118, *Stange v City of Cleveland*, 94 Ohio St. 377, 114 N.E. 261, 262. *Constitutional provision is Self-executing if it supplies sufficient rule by which right given may be enjoyed or duty imposed enforced; constitutional provision is not Self-executing when it merely indicates principles without laying down rules giving them force of law.* *Zachary v City of Wagoner*, 146, Okl. 268, 292 P. 345, 348; *State v. Perrault*, 34 N. M. 438, 283 P. 902, 903. God-given, Natural, unalienable Rights are self-executing, and Maxims of Law state that governments cannot change, abrogate, innovate, deny, deprive any one of We the American People, of our self-executing Rights; all we need to do is stand by those Rights in a competent Court of Justice/Record and demand enforcement in accordance with the papers submitted and the lawful remedies sought therein. Therefore, there is no need for an opposing party to argue whether the Rights have been violated/deprived. They are self-evident on their face, pursuant to the Rights conferred within the Supreme Law of the land. Likewise, since the Supreme Court of the United States is the only court who derives its authority directly from the organic Constitution 1791, with no other constitutionally authorized court above it to seek enforcement, it possesses sufficient "rule by which right given may be enjoyed [and] or duty imposed enforced." Thus, entitling me to bring forth a counterclaim into that venue in the event this cause of action is not properly and lawfully dismissed with prejudice in accordance with these papers and with the lawful remedies sought herein.

Our SCOTUS has many times affirmed that the supreme law of the land is to be interpreted as originally written and within the spirit of the Founding Fathers' debates.

*"The answer is the Constitution. And if it's in the Constitution, and the other two branches are infringing on it, right to exercise, your religion, your right to bear arms, your right to speak freely, [or any other Right], I'm duty bound. I took an oath to uphold the Constitution. Bring me the Constitution, and you win [the People], even though the government may not like it. When do I stay out? When the Constitution doesn't say anything about the subject."* Esteemed SCOTUS Honorable Justice Neil M. Gorsuch.

The organic Constitution promises, as one of the self-executing Rights, found in the Fifth Amendment, - *Due Process of Law: 3 Story, Const.264, 661.* *"Due process of law in each particular case means such an exercise of the powers of the government as the settled maxims of law permit and sanction, and under such safeguards for the protection of*

*individual rights as those maxims prescribe for the class of cases to which the one in question belongs.*" *Cooley, Const. Lira.* 441.

*"Whatever difficulty may be experienced in giving to those terms a definition which will embrace every permissible exertion of power affecting private rights, and exclude such as is forbidden, there can be no doubt of their meaning when applied to judicial proceedings. They then mean a course of legal proceedings according to those rules and principles which have been established in our systems of jurisprudence for the enforcement and protection of private rights. To give such proceedings any validity, there must be a tribunal competent by its constitution."* By that definition, 1) stare decisis is not inexorable, affirmed in *SEC v Jarjesy* (2024). "*Each particular case*" must be considered according to its own unique merits when exercising judicial power, rather than relying on the opinions of others whose set of circumstances may not match precisely, whose law itself is "bad law" (such as in the recent reversal of *Roe v Wade*, or *Chevron Deference*), or no law at all as in quoting statutes as the basis for the charges on the face of a claim, rather than the *Maxims of Law and common law crimes* themselves as required in the above definition of due process of law.

All public servants, including all those within the entire judiciary of this great nation, have been committing acts of treason, fraud and deprivation/violation of the self-executing Rights of the American People. The Sovereign American People are their Masters. These rogue judicial officer public servants have been trespassing upon our God-given, Natural, unalienable, self-executing Rights, since the establishment of the organic Constitution 1791 as the Supreme Law of the Land (Sec Supremacy Clause and affirmed in *Marbury v. Madison*).

These acts constitute redressable grievances, per the *Declaration of Independence*, which can only be attained within this Court of Record/Justice/Law, as the only Court which derives its power from the organic Constitution 1791. All other courts, by their very nature, and by constitutional provision, are congressionally created as artificial constructs, who possess zero authority over any Sovereign, Living American Man or Woman. Artificial entities, such as the UNITED STATES OF AMERICA [United States of America], are foreclosed from interfacing with Sovereign Living Man, as they are not of like kind. Thus, Governments being artificial persons, cannot interface/attain parity, with the Tangible/living Man or Woman. See *Penhallow v. Doane's Administrators* (3 U.S. 54; 1 L. Ed. 57; 3 Dall. 54). "Supreme Court of the United States 1795, "Inasmuch as every GOVERNMENT is an ARTIFICIAL PERSON, an abstraction, and a creature of the mind only, a GOVERNMENT can interface only with other ARTIFICIAL PERSONS. The Imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the Tangible. The legal manifestation of this is that no

*GOVERNMENT, as well as any Law, agency, aspect, Court, etc. can concern itself with anything other than Corporate, ARTIFICIAL PERSONS and the contracts between them [emphasis added]" Therefore, the government has no standing in this cause of action and it must be dismissed with prejudice.*

The late Ninth Circuit Court of Appeals Judge James Alger Fee stated: "*The privilege against self incrimination [or any of the constitutionally self-executing, protected and secure Rights...] is neither accorded to the passive resistant, nor to the person who is ignorant of his rights, nor to the one indifferent thereto. It is a FIGHTING clause. Its benefits can be retained only by sustained COMBAT. It cannot be claimed by attorney or solicitor. It is valid only when insisted upon by a BELLIGERENT claimant in person[affidavit].*"

President Trump said to "*FIGHT FIGHT FIGHT!*" And so, I am, as a "*belligerent claimant!*"

The above quoted decision begs some constitutional questions:

- 1) By what constitutional authority can I be deprived of my self-executing Right to self-defend, with unfettered Will, if a BAR-member attorney cannot exercise on my behalf my God-given, Natural self-executing Rights to assert those Rights that are protected and secure within the organic Constitution? Are those Bar-member attorneys not committing barratry since they are duty-bound to uphold the organic constitution, which is the Supreme law of the law, and it includes safeguarding the self-executing Rights of The People? Since this court only allows Bar-member attorneys to "represent" how does that reconcile with my 6<sup>th</sup> Amendment right to assistance of counsel?
- 2) By what constitutional authority can I be forced to prove to the court, via a rigorous, coercive and intimidating "Farettta hearing," and denied direct access to the court prior to attending that hearing to prove that I am competent to manage my own affairs, absent probable cause that I am not competent? Do those deprivations not violate at the very least, my First, Fourth, Fifth, Sixth and Seventh Amendment Rights, and my God-given of all Rights, my sacred Right to Liberty absent due process of law and a finding during a trial by jury of guilty with conviction and sentence?
- 3) Is our jurisprudence system of law not based upon "innocent until proven guilty," which necessarily and logically forecloses the courts from any punishment prior to a trial by jury, conviction and sentencing, in the form of pretrial conditions of release that in any way deprive me of my most sacred and unalienable Right to Liberty and to all the protected and enumerated Rights found in the Bill of Rights?

- 4) Is it not true that if one is innocent until proven guilty, then one's constitutionally protected Right to due process of law found in the Fifth Amendment is trampled when pretrial conditions of release are issued that deprive me of my Rights?
- 5) Is it not constitutionally unlawful to impose any punishment or restriction on a non-capital alleged crime, or to deprive Sovereign Man of Liberty absent due process of law, which includes bail, a trial by jury of my peers, with conviction and sentence?
- 6) By what constitutional authority can Sovereign Man be subject to the Doctrine of Parens Patriae without my express consent, or by a hearing that proves that I am an infant, that I am indigent, or that I am insane, with no probable cause that would lead the common man to believe that I might be any one of those things?
- 8) Is it not true that judges must exercise judicial power following the common law, as opposed to legislatively created statutes that may not, upon scrutiny, have been constitutionally and lawfully enacted, such as title 18 of the US Code?
- 9) Is it not true that due process of law demands trial by jury, also affirmed in the Seventh Amendment?
- 10) Is it not true that torture, coercion and intimidation, via unconstitutional prolonged incarceration, with continuous denial of bail until acquiescence to the extraction of a plea "agreement" is unconstitutional?
- 11) Is it not true that denying unalienably protected Rights by citing precedent cases as if they are the law of the land, even if they are intrinsically "bad law" deprives me of unalienable Right to Due Process of Law as found in the Fifth Amendment?
- 12) Is it not true that Due Process of Law includes the Right to have my unique case considered on its own merits, rather than attempting to place a round peg in a square hole by citing precedent cases that inherently do not reflect the salient set of facts found and/or alleged in my case?
- 13) Prosecutors routinely use the excuse that a living man might be insane and therefore, not fit to personally defend at trial, only because he has elected to exercise his unalienable Right to NOT have unconstitutional BAR-member attorneys after having had one for any period during a proceeding. Is that not a stealth way to intimidate and to coerce and to deprive Sovereign living man of this unalienable Right to defend using himself as assistance of counsel in accordance with the Sixth Amendment?

I hereby assert that the real reason to deprive a Sovereign Man of this unalienable and protected Right is to assure that upon conviction and sentencing subsequent to a coerced plea statement is to guarantee the signature required by either the accused or his

agent/attorney so that the court and their public officers can then incarcerate and raid the rightful Beneficiary's Trust Funds, with no full disclosure to the accused, that his Beneficial trust funds even exist! We have been deceived into believing that courts are governmental agencies and that they are funded by taxes. As a matter of fact, each court is a separate for-profit corporate construct who raids the funds that rightfully belong to the accused, without any disclosure of that fact, which are acts of breach of fiduciary duty, as Trustee, intentional concealment of a material fact, of Fraud and of Barratry.

I assert that pretrial conditions of release that intrinsically, extrinsically, covertly, and overtly violate God-given Natural, unalienable and constitutionally protected Rights are unlawful and must be prohibited, as a matter of law. The Fifth Amendment guarantees due process of law, which includes trial by jury, also found in the Seventh Amendment, conviction and sentence before any Rights can be infringed, and before any punishment can be imposed. In one of Honorable Justice Gorsuch's decisions, he stated that "*the texts of the Sixth Amendment (Trial by Jury) and the Fifth Amendment (Right to Due Process of Law) concluding that those two amendments "ensure that the government must prove to a jury every criminal charge beyond a reasonable doubt."* In other words, "*a jury must find all of the facts necessary to authorize a judicial punishment.*" To allow a judge to impose a new sentence [pretrial conditions of release that deny the most sacred right of Liberty] ...utilizing a preponderance of the evidence standard [pretrial restrictions that deprive liberty] "exemplifies the Framers' fears that the jury right could be lost not only by gross denial, but by erosion." Alito dissented, joined by the other Republican-appointed justices, arguing that Gorsuch "strongly suggest[s] that the Sixth Amendment right to a jury trial applies to any supervised-release [pretrial conditions of release] revocation proceedings." If so, **"the whole concept of supervised release will come crashing down."** Judicial Courage: Justice Gorsuch Ventures Out on His Own While Preserving Scalia's Principles, November 15, 2019. I invite all judicial officers to take heed by reading these originalist decisions of the "new sheriff in town" that is standing up for the real law of the land. They provide a clear window of what to expect from our current SCOTUS when it comes to the inferior courts' wonton violations and deprivations of self-executing, unalienable, God-given Rights.

For example, three weeks ago I called pretrial services to ask permission to leave my house to file papers at the federal courthouse. The irony is that the paper I was filing was my Notice to the court that I had fired my attorneys for cause, for fraud, for swindle, and for grossly ineffective assistance of counsel. The pretrial services public servants, Seth Junker and David Hernandez, who took an oath or affirmation to uphold the Constitution, denied me that unalienable Right to go to the courthouse. *Richmond v. J.A. Croson Co, (1989) Addressed... the freedom to travel, emphasizing the importance of maintaining unimpeded mobility. United States v. Guest (1966) Affirmed that the right to travel is*

*implicit in the Constitution and is protected against State [federal government or courts] interference. Davis v Wechsler (1970) Recognized the right to travel as a constitutional guarantee that cannot be infringed upon by state [federal] government action.* I have been deprived of my self-executing Rights to leave my house for any reason other than to meet with my attorneys, and even that, with prior permission from a 3-letter agency (Pretrial Services agency) who does not have any delegated authority from the organic Constitution to even exist, as that agency has no Congressional Charter.

Seth stated that I could not go or file because I had an attorney! As a segue, and worse yet, the reason I had to ask for permission to exercise the unalienable Rights to liberty and to travel and to come and go as I see fit, is because a magistrate “judge,” who likes to “wear black robes,” borrowing a phrase from the esteemed SCOTUS Honorable Justice Neil M. Gorsuch, issued pretrial conditions of release that deny me the Right to leave my home for any reason other than to visit my attorneys or to attend a court hearing. In other words, my parents’ home has been unlawfully converted into a prison, with walls, with my parents or other supervisory personnel supplied by me, as wardens and snitches since they are duty-bound to inform these goons if I violate any of their unconstitutionally imposed provisions of release. This has been going on for 5 years with no end in sight.

Magistrate “judges” do not inherently possess any constitutional authority to enter any orders or decisions on the record at all that fundamentally deprive me of any of my unalienable Rights. The organic Constitution promises the common law and the exercise of judicial power to judges that have lifetime tenure during “good behavior.” Magistrate judges are typically unconstitutionally appointed by federal judges who have no constitutionally delegated authority to appoint these magistrate “judges”, and they unconstitutionally grant them judicial power. Magistrate judges typically have eight-year contracts. They are not lifetime tenured. They are also not accountable to the American people because they are not elected but instead appointed by someone other than the American people.

In direct violation and abrogation of the supreme law of the land, which requires a life-time tenured judge, who exclusively exercises judicial power by following the common law, in “*Rule 11.01 (FRCP 72.73) General Authority of United States Magistrate Judges. Each United States Magistrate Judge [is] appointed by this Court [and is] authorized to exercise all powers and perform all duties conferred expressly or by implication upon magistrate judges by, and in accordance with, procedures now or hereafter set forth in the United States Code, rules promulgated by the Supreme Court, the local rules of this Court, and the orders of this Court. Subject to the foregoing, magistrate judges are authorized to set and to conduct hearings or trial on any matter assigned or referred to them, notify and require parties, attorneys, and witnesses to appear, require proofs, briefs*

*and argument, and to make such further orders as may be incidental or necessary to the completion of their duties. ”*

Thus, magistrate “judges” who do not enjoy life-time tenure, and who are unconstitutionally enforcing statutes, as opposed to the common law via maxims of law, are nothing more than governmental administrators who are intentionally deceiving and concealing matters of fact and law, which is fraud, into having The People believe that these administrators possess any power at all to sit in judgment of one of the Sovereign American people, while violating and depriving the American people of their God-given, Natural, self-executing, unalienable Rights that are ALL secure and protected as seen in the organic Constitution. As a matter of law, all Orders that have been imposed upon me by these deceitful actors, who have also taken an oath to uphold the organic Constitution, are null and void ab initio. Their unlawful imposition on me for all these years of non-constitutional, unlawful decisions and orders, constitutes a complete defense and fully entitles me to automatic dismissal with prejudice in accordance with the papers filed, and the lawful remedies sought herein.

Likewise, the federal judges, who are also enforcing provisions found in statutes, such as the US Code, rather than following the plain letter of the law, and the crimes as seen in the maxims of law, and their accompanying sanctions, with a constitutional mandate to strictly exercise judicial power, are similarly warring against the organic Constitution and against the unalienable Rights of the American people, which is fraud and treason.

Federal judges have no constitutionally delegated authority to delegate any judicial power onto their administrative magistrate “judges”, thus, they are also committing acts of treason against the very instrument and the very Sovereign People that gave them their right to exist at all. The federal judge, who appoints these magistrate “fake judges”, is duty-bound to uphold the constitution. By delegating any judicial power to a non-constitutional judge, he is likewise committing an act of treason. And the FRCP rule that allows these acts of treason is unconstitutional on its face.

*MAXIM: A delegated power cannot be again delegated. 2 Inst. 597; Black’s 2d, 347; 2 Bouv. Inst. n. 1300.* More importantly, to delegate a power he has not to delegate at all is treason.

These fake magistrate judges and the unlawfully seated federal judges for failure to uphold the constitution are all committing fraud upon the people, fraud upon the court, fraud ab initio. See Throckmorton *FRAUD VITIATES ALL! Thus, entitling me to dismissal with prejudice.*

Resuming the violations and deprivations I started sharing with you above, my parents’ home has been commandeered as a Federal Detention facility. I am required to have a

24/7 personal guard at my parents' house guaranteeing the court that I not leave the house absent express permission from a third-party, for-profit agency who has unconstitutionally been "delegated" the authority to violate all my constitutionally protected Rights to unfettered liberty absent due process of law, trial by jury, conviction and sentence. Mind you, the government has not paid one penny for the services of these 24/7 guards/wardens for about 5 years. Does this practice not constitute slave labor, which is strictly prohibited in our nation of the several states?

MAXIM: *A workman is worthy of his hire. Authorities*" Exodus 20:15; Lev. 19:13; Mat. 10:10, Luke 10:7.

I have been unconstitutionally compelled to wear and be tracked via GPS monitoring which is HARMFUL to my health. I am deprived of all travel, but for visiting my attorney, with pre-authorization. Liberty is one of the most sacred Rights, which includes the unfettered liberty to travel whenever and wherever I choose. In *Baldwin v Fish & Game Commission of Montana* (1978). *The Court ruled that the right to travel is a fundamental right protected by the Constitution.*

In *Richmond v. J.A. Crosen Co*, (1989) the court addressed equal protection and the freedom to travel, emphasizing the importance of maintaining unimpeded mobility. In *Griffin v. Illinois* (1956) focused primarily on legal representation and touched on the rights of individuals to travel and access to justice. Thus, when the pretrial services public servant deprived me of my right to travel to the courthouse to file documents wherein, ironically, I was notifying the court of my having fired my attorneys, he denied me a fundamental and protected unalienable Right. In *Baldwin v. Fish & Game Commission of Montana* (1978) the Court ruled that the right to travel is a fundamental right protected by the Constitution.

Likewise, since I am prohibited from accessing a smart phone or computer, and prohibited from travel, I have been deprived of my unalienable Right to seek and interview other potential assistance of counsel in deprivation of due process of law under the Fifth Amendment, and of my Sixth Amendment self-executing Right to competent assistance of counsel of my choice.

Included in those deprivations is my Right to visit a doctor of any kind without express permission. I must not only request permission at least 3 days prior to the doctor's visit, but the health practitioner must be an M.D.! I cannot visit a chiropractor, naturopath, kinesiologist, acupuncturist, etc.

I cannot go to church! Does that not violate my First Amendment Right to freedom of religion?

I cannot attend a gym for regular exercise. Do those deprivations not violate my Fourth Amendment Right to be secure in my person? Do those deprivations not violate protective provisions under Human Rights treaties?

As a Sovereign Man I have an unalienable Right, protected in the Sixth Amendment, to directly submit papers to the court, and to appear in court with no attorney, and I have an unalienable Right to choose my own non-BAR member attorney of my free will, if I so choose. Courts have oftentimes affirmed this Right. *Schware v. Board of Examiners of NM* 353 U.S. 232, 239 (1957) and *Sims v. Aherns* 271 S.W. 720 (1925) Yet it is routinely violated. I choose to NOT be violated anymore.

So far, I have been pillaged of over \$3 million dollars by compelled BAR-member attorneys. These attorneys have never disclosed to me why they have neglected to safeguard my constitutionally protected self-executing unalienable Rights.

For example, when the federal court judge blatantly and repeatedly denied my unalienable Right to Bail during the first eleven months of the underlying cause of action and denied me my self-executing unalienable Right to a Speedy Trial, citing some scheme called a “complex litigation,” my BAR-member attorney was duty-bound to demand reconsideration or to submit on my behalf an appeal for such blatant deprivations by the federal judge and magistrate. *Strunk v. United States* (1973) *Established that a right to a speedy trial is a fundamental right [self-executing Right].*

Such ineffective assistance of counsel by the BAR-member attorneys and such blatant denial of fundamental Rights by the judge constitute automatic dismissal with prejudice. “...the invocation of constitutional defenses follows from the fact that constitutional rights are “self-executing” prohibitions on governmental action.” *City of Boerne v. Flores*, 521 U.S. 505, 524 (1997). Quoted in *Christopher L. Wilson v. Hawaii* on December 9, 2024, cert. denied.

MAXIM: A Right cannot be converted to a privilege.

An incontrovertible Maxim of Law is that the supreme Power of all Time and of all Things rests upon Almighty God as the Supreme Arbiter of the Law. He created Living Man in his own Image and bestowed upon all Living Men, Sovereignty over the Land, the Air, and the Waters... acronym LAW, which no living man or artificial entity can legislate away or deprive/violate. Any such trespasses by any oath-taker constitute a complete defense and demands full dismissal with prejudice in accordance with the papers submitted and their lawful remedies sought therein.

Judicial officers who are the perpetrators of violations, encroachments, or deprivations of self-executing unalienable Rights are committing acts of treason, which is Fraud upon

the court, fraud upon the Sovereign American People, and fraud ab initio. See Throckmorton, *FRAUD VITIATES ALL*.

MAXIM: *John 15:20: The servant is not greater than his lord [Sovereign Master]. Chisholm v. Georgia, (US) 2 Dall 419, 454, L. Ed. 440, 455 @ Dall (1793) pp 471-472: "... at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects... with none to govern but themselves..."*

MAXIM: All political power is inherent in the people by decree of almighty God, thus none can exist except it be derived from them.

Therefore, since I am a living, breathing/tangible Sovereign Man, neither the government nor the federal court has any jurisdictional authority to bring forth a complaint or to exercise judicial power against me, absent my express, with full knowledge and full disclosure beforehand, consent and a wet-ink contract in accordance with the eight elements of contract law. *Cruden v Neale (1796) "There every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellow man without consent."*

Furthermore, the judge is compelled to refuse to proceed unless he has the approval of both parties. Canon 3B(8)/b requires that the accused give consent for the judge to hear any matters in this cause of action. I hereby state unequivocally and emphatically that I do not Consent, and I have never consented to these proceedings; I demand immediate dismissal with prejudice in accordance with these papers and with the lawful remedies sought herein. Tacit procuration is unlawful and renders any assumed or presumed contract null and void ab initio.

Additionally, this cause of action is a controversy/case between an artificial entity as Plaintiff, and a Sovereign Living Man, whose parent's home is on the Land of Colorado. Thus, there is no parity between the plaintiff and accused "defendant". The above matter of law alone is sufficient reason to bar the UNITED STATES OF AMERICA/United States of America, as Plaintiff from bringing forth the underlying cause of action.

Without Standing, a plaintiff cannot proceed in any cause of action, thus entitling me to claim this disparity as a complete defense, and to demand dismissal with prejudice of all charges, in accordance with the law of the land and with the lawful remedies sought.

MAXIM: *Where there is a legal right there is also a legal remedy.* 2 Rolle, 17 C.L.M., 'Broom Max. 191, 204. 1 Term 512; Co. Lin. 197 th' 3 Bouv., Inst. n. 2411.

Not only can artificial entities such as our federal government, not interface with tangible/ living man or woman, but the only way for a governmental entity to enact

“newly created” statutory criminal laws, is through sovereignty. Since the government bodies are not sovereign, they cannot promulgate or enforce criminal laws. They can only create and enforce civil laws, which are duty-bound to comply with the Law of Contracts, and in accordance with the organic Constitution.

The Law of Contracts requires signed written mutually agreed terms and conditions, with complete transparency, and knowledge beforehand of all its terms and conditions, in accordance with the eight elements that constitute a valid and enforceable contract. In contrast, I am a Sovereign Man, and I have complete authority to accept or to rescission any contract that is not agreeable to me, or that was obtained via deception, torture, under the color of law and under the color of authority. I do not consent to any of the adhesion contracts that have been imposed upon me via deception.

Through lack of education within our federally funded schools, we have been deprived of any education regarding the law and our unalienable Rights. Instead, we have been indoctrinated into obedience of the “statutes” which are deceptively presented as “laws”, which are not the law of the land. Such ambiguity and falsehood constitute outright deception, dereliction, breach of fiduciary duty, and fraud.

We are taught that the only way to achieve justice is to hire the “best” ... translation ... most expensive BAR-MEMBER attorney money can buy, so that he can defend against governmental encroachment and protect constitutional rights. *“Say...whether peace is best preserved by giving energy to the government, or information to the people. This last is the most certain and the most legitimate engine of government. Educate and inform the whole mass of the people. Enable them to see that it is their interest to preserve peace and order, and they will preserve them. And it doesn’t require a very high degree of education to convince them of this. They are the only sure reliance for the preservation of our liberty.” Thomas Jefferson.*

At no point did I ever agree, with knowledge beforehand of the full terms and conditions and their ramifications, and with no coercion or intimidation, to any contracts with the government or any of its entities. Any contract that I might have signed that is either unconstitutional on its face, or that I signed without full disclosure or knowledge beforehand of the terms and conditions, and their ramifications, I hereby unconditionally rescission, as my lawful Right as Sovereign Man, to rescission any contract that was presumed/assumed under tacit procurement.

Besides, the organic Constitution promises that judges follow the common law and that they exercise judicial power.

MAXIM: *Ignorance of the law is no excuse.*

This Truth of law is even more pronounced when it comes to any judiciary public servant, such as all judges and justices. Judges/justices are constitutionally required to take an oath or affirmation with bond to uphold the organic Constitution 1791.

**MAXIM:** *The judge is counselor for the prisoner.* He is duty-bound to safeguard the Rights of the accused from all usurpers, which necessarily includes unconstitutional encroachment from the government, as prosecutorial abuse. When a judge or justice observes a violation or deprivation of the American People's unalienable Rights, or when he observes that any provision found within the organic Constitution 1791 is being breached by any governmental entity who has a fiduciary duty to the American People, he is duty-bound to immediately correct the errors of the perpetrator of the violation. This particularly holds true when a federal judge has first-hand knowledge of said violations as emanating from within his own court system, or when emanating from one of the magistrate "judges" he has taken part in appointing, even if not constitutionally authorized to delegate authority that he himself does not have authority to delegate. But it also holds true when he is turning a blind eye to the unspoken violations that occurred decades ago, and continue to enslave the American people, due to their ignorance of the law.

When a judge/justice allows the government to extract signatures on adhesion contracts from the American People that fundamentally deprive them of their self-executing unalienable Rights, fully knowing that the government is in breach of fiduciary duty to the American people, yet he unconstitutionally enforces statutes against the American people, with impunity, and enforces criminal or any other laws against the American people, each one is committing acts of treason and committing fraud upon the court, fraud upon the American people and fraud ab initio. Fraud Vitiates All! See *Throckmorton*.

As example, the constitution is clear on matters of monetary integrity and individual rights. Article I, Section 10 prohibits states governments of any kind from making "anything but gold and silver coin a Tender in Payment of Debts." This provision reflects the framers, our Founding Fathers, intent to establish a monetary system grounded in tangible value, ensuring fairness and stability in economic transactions. Moreover, the Fifth Amendment safeguards individuals from governmental deprivation of life, liberty, or property without due process of law. The issue of consideration is foundational to the validity of contracts. A valid contract requires a mutual exchange of value. However, fiat currency, by its very nature, is created out of thin air and lacks the tangible backing required by Article I, Section 10. In *Carpenter v. Longan* (1872), SCOTUS held that "a mortgage is inseparable from the promissory note it secures. If the note is invalid, the mortgage is likewise void." As a disclaimer, some of the words within

this paragraph were adopted from an unverified and unpublished alleged SCOTUS decision, which is nowhere to be found on its website. I hereby invoke the arguments as being sound and judiciable.

The above decision illustrates that our own federal government has added yet one more breach of fiduciary duty act against the American people by surreptitiously passing the *Federal Reserve Act*, and making it sound as if the Federal Reserve is a lawful governmental agency by using a deceptive name to lead unsuspecting American people into so believing. This is an act of intentional concealment of material fact, which is fraud upon the Court, fraud upon the American people, and fraud *ab initio*. Fraud is a felony, fraud, and a breach of fiduciary duty to the American people, which is treason and immediately strips plaintiff from any authority to even exist, let alone enforce any presumed laws against the American people. The federal government, as plaintiff has continued to act in treason against the American people for decades as it relates to this one issue. Since the government is Trustee for the American people's Trust indenture (The Constitution) and for the American people's Trust Funds, its actions constitute maladministration, acts of fraud and act of treason. *Fraud Vitiates All!* Consequentially, the UNITED STATES OF AMERICA, as plaintiff, has no standing in any cause of action, let alone this one.

Similarly, because the several State's governments have ignored this most egregious act against the American people and their public servants are also duty-bound to uphold the organic Constitution 1791, they are complicit, and because they too administer the American people's Trust funds as Trustees for the American people, who are the Beneficiaries, they too are committing the same egregious acts of fraud and treason against the American people by remaining silent on this matter of national significance. They too are stripped of any presumed authority. Therefore, no laws or Orders are enforceable against any one of the unsuspecting American people.

Judges/justices are deemed to know the law, and to extrapolate it from the organic Constitution, especially since they are duty-bound to uphold that instrument. Thus, all judges in each court of this nation are complicit in these crimes against the American people, and they must be removed and held accountable. Their laws and Orders are null and void *ab initio*. They carry no power of enforcement whatsoever! One cannot be charged at all by any government for anything because the government public servants are all acting in treason and in fraud against the American people, which vitiates all.

Additionally, one cannot be charged with SEC violation, or with bank or wire fraud without a law that specifically and lawfully charges one with a violation if it is not on the books as a constitutional lawfully enacted crime. There is no lawful statute that states that Bitcoin is a security, quite the opposite. Bitcoin is not money either. A machine, such as

Bitcoin mining computers, that creates a store of wealth, therefore cannot be a security. The prosecutions claim that it is a security and not a physical, tangible product is absurd.

Back to the fiat currency conundrum, if one cannot lawfully perform, even if he did owe a debt (which is not the case in this instance) due to the government's breach of fiduciary duty to provide lawful money to the American people, which is fraud, there can be no criminal or civil obligation imposed upon the accused, rendering the plea statement invalid, and the entire indictment and bill of information null and void, as a matter of law, and of breach of fiduciary duty.

The judges/justices/prosecutors/counsel for the accused have all taken an oath or affirmation to uphold the organic Constitution. They too are all culpable of conspiracy to conceal the breach of fiduciary duty and the fraud of the government/plaintiff in the underlying cause of action.

The mere mention of the unlawful act herein constitutes lawful rescission and claim of self-executing unalienable Right to due process of law found in the Fifth Amendment because one cannot be held to a plea statement where no crime was committed by the accused, as operation of law, and where the plaintiff has committed acts of breach of fiduciary duty and of fraud against the Beneficiaries of the Public Trust and of the Public Funds.

As a matter of law, it is the plaintiff who is committing a crime against the American people, along with all the judicial public servants who have taken an oath or affirmation to support the organic constitution, and then projecting that crime onto the American people, and intentionally concealing this matter of material fact, which is fraud, and fraud vitiates all.

As a matter of law, all constitutionally secure and protected Rights enjoy the same self-executing status. *State ex rel RUSSELL v. Bliss* No. 32839, *Supra Ohio Last paragraph of 150 Pg and page 151 states...* "Accordingly, all provisions of the constitution, are now considered self executing . See also *City of Boerne v. Flores* 521 U.S. 507m 524 (1997).

"A 'Statute' is not a Law," (*Flournoy v. First Nat. Bank of Shreveport*, 197 La. 1067, 3 Sold 244, 248), A "Code' is not a Law," (*In Re Self v Rhay Wn* 2d 261), *In point of fact in Law, A concurrent or 'joint resolution of legislature' is not "Law,"* (*Koenig v. Flynn*, 258 N.Y. 292, 179 N. E. 705, 707; *Ward v State*, 176 Old. 368, 56 P.2d 136, 137; *State ex rel. Todd. v. Yelle*, 7 Wash.2d 443, 110 P.2d 162, 165).

Judges must follow the common law and exercise judicial power. [*Blacks law 4th edition*] *The written will of the legislature, solemnly expressed according to the forms prescribed in the constitution, an act of the legislature. "The common law is the real law,*

*the Supreme Law of the land, the code, rules, regulations, policy, and statutes are “not the law”, [Self v. Rhay, 61 Wn (2d) 261] US. SUPREME COURT DECISION – All codes, rules, and regulations are for government authorities only, not human/Creators in accordance with God’s laws. All codes, rules, and regulations are unconstitutional and lacking due process ...” [Rodrigues v. Ray Donovan (U.S. Department of Labor) 769 F. 2d 1344, 1348 (1985)]” Due Process of Law, found in the Fifth Amendment, is a self-executing, unalienable, protected and secured Right entitling automatic dismissal with prejudice in accordance with the papers and the lawful remedies sought therein.*

In criminal acts, Sovereign Man created a system via which to bring forth the accused. This System involved an eyewitness or a harmed Man to bring forth a Complaint in the form of a sworn statement of facts. Each one of the several States independently determined what constituted a crime, and its sanctions.

A Complaint is to be brought to the Sheriff, as the highest judicial officer in the community, for him to seat a common law Grand Jury, which was to operate in complete secrecy with no interference whatsoever or oversight by any Court of Record official.

Thus, when Sovereign Man created the organic Constitution, by tradition and custom, Courts of Record, and Common Law Grand Juries were incorporated into our judiciary. The organic Constitution established a three-branch form of government, with checks and balances. Each branch was to “stay in its own lane.” The common law grand jury is not within the three branches of government established by the organic Constitution. It is power withheld for the Sovereign people within the several states. The establishment of statutory/legislatively created grand juries cannot usurp a power it does not have and falls within the purview of the Sovereign People. See *United States v. Williams* (1992).

In creating the organic Constitution, Sovereign Man did not relinquish his Sovereignty, which was ordained for posterity from Almighty God. Thus, governments inherently have no sovereignty. However, in the United States, they do have the power to exclusively provide certain, limited services for the benefit of the Beneficiaries of the Trust indenture, we call our organic Constitution.

Within that arrangement, we the Sovereign American people are the “masters”, and our judiciary officers are our servants. They are also the Trustees of the Trust indenture/the organic Constitution. Through the enumerated powers we the American people have entrusted to Governments the power of the Purse, therefore they possess a fiduciary responsibility to protect the Trust Funds, as Trustees, for the benefit of the Sovereign American people as the Beneficiaries.

Sovereign Man, in the organic Constitution, via the Supremacy Clause declared that instrument to be the supreme law of the land, affirmed in *Marbury v. Madison*.

When a constitutional judge/justice seeks to enforce a statute, by accepting the specific language within the charging papers on their face that only recite violations of statutes, he is exercising legislative power; he is not following the common law; he is acting in violation of his oath or affirmation; and he is violating my Due Process of Law self-executing Rights found in the Fifth Amendment, or ordained by Almighty God.

I am not only a Sovereign Man, I am also a living, breathing man, who is only subject to the laws of Nature, and to the laws of Almighty God, governmental alleged “laws” do not apply to me, but by express contract.

Since judges and justices are mandated to take an oath or affirmation with bond to uphold the organic Constitution 1791, they are not only duty-bound to jealously safeguard the unalienable Rights of the American people, but they must also jealously protect the provisions and their intent within the very instrument to whom they have taken an oath to preserve. Enforcing deceptive adhesion contracts meant to enslave people is immoral.

Our Founding Fathers provided a road map for future generations. They left words for us to understand how the provisions within the constitution should be interpreted. *“On every question of construction [let us] carry ourselves back to the time when the Constitution was adopted, recollect the spirit manifested in the debates, and instead of trying what meaning may be squeezed out of the text or invented against it, conform to the probable one in which it was passed.” Thomas Jefferson.*

For the record of this common law Court of Record, and for purposes of these papers, I rely upon the following definitions, Maxims of Law, and Supreme Court decisions:

1) - Court of Record: “A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial.” Jones v. Jones, 188 Mo. App. 220, 175 S. W. 227, 229; **Ex Parte** 21 Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689 ... 7 Cal Jur 571 California Jurisprudence, Bancroft Whitney (1922), Pge 580-581 Courts of Record.

2) - Due Process of Law: *3 Story, Const. 264, 661.* “*Due process of law in each particular case means such an exercise of the powers of the government as the settled maxims of law permit and sanction, and under such safeguards for the protection of individual rights as those maxims prescribe for the class of cases to which the one in question belongs.*” Cooley, *Const. Lira.* 441.

*“Whatever difficulty may be experienced in giving to those terms a definition which will embrace every permissible exertion of power affecting private rights, and exclude such as*

*is forbidden, there can be no doubt of their meaning when applied to judicial proceedings. They then mean a course of legal proceedings according to those rules and principles which have been established in our systems of jurisprudence for the enforcement and protection of private rights. To give such proceedings any validity, there must be a tribunal competent by its constitution."*

3) - Competen[t]: *Black's Law 1st Edition*: 1. A basic or minimal ability to do something; qualification, esp. to testify. 2. The capacity of an official body to do something. 3. Authenticity. *Competent. Adj.*

4) - The Supreme Court case, *Trust v. United States*, 318, US 363-371 demonstrates an example of breach of fiduciary duty to the People. "Governments descend to the level of a mere private corporation, and take on the characteristics of a mere private citizen... where private corporate commercial paper [Federal Reserve Notes] and securities [checks] is concerned... For purposes of suit, such corporations and individuals are regarded as entities entirely separate from government."

In other words, when private commercial paper is used by corporate government, the government loses its limited power status and becomes no different than a mere private corporation. As such, government then becomes bound by the rules and laws that govern private corporations, which means that if they intend to compel an individual to some specific performance based upon its corporate statutes or corporation rules (codes, regulations, statutes, etc.) then the government, like any private corporation, must be the holder-in-due-course of a valid and enforceable contract or other commercial agreement between it and the one upon who demands specific performance is made. And, further, the government must be willing to enter the contract or commercial agreement into evidence before trying to get the court to enforce its demands, called statutes, codes, regulations, rules, etc. The government must offer, on the record, that contract and prove it was obtained lawfully, in accordance with the laws of contract and its 8 elements.

The private currency, the Federal Reserve Note, is still in use today. By what authority can the federal government bring forth this cause of action when it is in breach of fiduciary duty to the Sovereign American People by becoming a foreign corporation, and issuing unlawful "currency", with no authority from the American People, and it has lost its limited power to act? This case, likewise, affirms that the government has no standing. It is instead in breach of fiduciary duty to the American people.

*Hale v. Henkel*, 201 U.S. 43 (1906) "... There is a distinction ... between an individual and a corporation... The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way... He owes nothing to the public so long as he does not trespass upon their rights. Upon the other hand, the

*corporation is a creature of the state [federal government] ... its powers are limited by law."*

*Marbury v. Madison* (1 Cranch 170) 5 US 137 (1803) "... a legislative act contrary to the constitution is not law... an act of the legislature repugnant to the constitution is void."

*United States v. Jackson* 390 US 570 (1968) "If a law [order] has 'no other purpose... ' than to chill the assertion of constitutional rights by penalizing those who choose to exercise them, then it [is] patently unconstitutional."

Some justices have been called "originalists" as they endeavor to carry on the intent of the Founding Fathers. But, when a "long line of usurpations" ... threatens the very fiber of what has made our nation the great bastion of liberty, it becomes the American people's duty, and Right to call these bad actors back into line, reminding them that it is the American people who are Sovereign, and not the governments. The governments exist at our pleasure, and they can likewise be brought back in line by us, the American people or removed for treason and for maladministration. President Trump is building 30,000 jail cells in Gitmo for officers who don't heed this warning. Many eyes are watching what you decide to do...

**MAXIM:** *Individual liberties are all antecedent to all governments.* This maxim affirms that liberty is the most sacred of all self-executing unalienable Rights. While the organic Constitution 1791 does not specifically state that the judiciary must follow the common law, the Seventh Amendment does explicitly state that: The Seventh Amendment states that "In suits at common law where the value of in controversy shall exceed twenty dollars, the right to trial by jury shall be preserved..."

Traditionally and by custom, all cases prior to the establishment of the organic Constitution followed the common law, which is what all judges must follow when exercising their constitutionally mandated judicial Power. "*The common law is the real law, the Supreme Law of the land, the code, rules, regulations, policy, and statutes are "not the law", [Self v. Rhay, 61 Wn (2d) 261] "Because the penalty the [federal government] seeks "deprive[s][me] of [property and liberty]," Amdt. 5, due process demands nothing less than "the process and proceedings of the common law."* 3 Story Section 1783 at 661. *That means the regular course of trial by jury proceedings, with their protections. See Murray's Lessee, 18 How, st. 280, not the use of ad hoc adjudication procedures before the same agency [federal government] responsible for prosecuting the law, subject only to hands-off judicial review, see supra, It 10-11.* Therefore, the plea statement is unconstitutional and unlawful.

The Supreme Court case, *Clearfield Trust v. United States*, 318, US 363 -371 demonstrates an example of breach of fiduciary duty to the People. "Governments

*descend to the level of a mere private corporation, and take on the characteristics of a mere private citizen... where private corporate commercial paper [Federal Reserve Notes] and securities [checks] is concerned... For purposes of suit, such corporations and individuals are regarded as entities entirely separate from government."* I am not a corporate construct; I am a Sovereign living man. By what authority can the federal government bring forth this cause of action when it is in breach of fiduciary duty to the People by becoming a foreign corporation, with no authority from the People, and it has lost its limited power to act?

B.A.R.-member attorneys, government servant/prosecutors cannot admit evidence into this court on behalf of the plaintiff, as stated in *Trinsey v. Pagliaro D.C. Pa. 1964229 F. Supp. 647* "*An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness.*" He cannot wear both hats. Any testimony submitted by the prosecutor/attorney for the plaintiff is hearsay and the prosecutor exposes himself to cross-examination. *United States v. Lovasco (06/09077) 431 U.S. 783, 97 S. Ct 2044, 52 L.* "*Manifestly, [such statements] cannot be properly considered by us in the disposition of [a] case.*" In other words, there must be a competent first-hand witness (a body, a corpus delecti). There must be a real man or woman making the complaint, thereby having standing, and directly bringing evidence before the court. The artificial construct, UNITED STATES OF AMERICA exists in the imagination and on paper and can't testify. Therefore, the plaintiff federal government has no Standing.

As required at common law, corpus delecti must appear on the record. The government has never produced any evidence of corpus delecti to provide lawful evidence from the corpus delecti. The government never produced the identity of the corpus delecti (men/women) that I allegedly and knowingly harmed. These failures to provide fundamental elements of what constitutes a crime, following the common law, represent violation and deprivation of my unalienable, natural rights, and my protected rights under the organic Constitution in the Fifth, Sixth, and Seventh Amendments. The Sixth Amendment guarantees me the right to confront or cross-examine witnesses. Deprivation of protected rights entitles me to dismissal with prejudice in accordance with the lawful remedies sought. *Cruden v. Neale, 2 N.C. 338 2 S.E. 70* "*Corpus delecti consists of a showing of "1) the occurrence of the specific kind of injury and 2) someone's criminal act as the cause of the injury.*" As stated herein, at common law, the de facto federal government fails to show either 1 or 2 above... these unconstitutional concocted crimes, or "crime against the state" [federal government], with no valid injured or harmed plaintiff on the record.

*Johnson v. State, 653, N.E. 2d 478, 479 (Ind. 1995) "State [federal government] must produce corroborating evidence of "corpus delecti," showing that injury or harm constituting crime and that injury or harm caused by someone's criminal activity."*

*Gonzalez v. Buist (04/01/12) 224 U.S. 126, 56 L. Ed. 693, 32 S. CT 463 "Under no possible view, however, of the findings we are considering can they be held to constitute a compliance with the statute [common law], since they merely embody conflicting statements of counsel concerning the facts as they suppose them to be and their appreciation of the law which they deem applicable, there being, therefore, no attempt whatever to state the ultimate facts by a consideration of which we would be able to conclude whether or not the judgment was warranted." Holt v. United States, (10/31/10) 218 U.S. 245, 54 L. Ed. 1021, 31 S. Ct. 2 "No instruction was asked, but, as we have said, the judge told the jury that they were to regard only the evidence admitted by him, not the statements of counsel." Since no "real" man or woman has come forth as plaintiff, with firsthand valid testimony alleging harm perpetrating upon him/her from me, at common law, there is no crime. Porter v. Porter, (N.D., 1979) 274 N.W. 2d 235 "The practice of an attorney [prosecutor] filing an affidavit on behalf of his client asserting the status of that client is not approved, inasmuch as not only does the affidavit become hearsay, but it places the attorney [prosecutor] in a position of witness thus compromising his role as advocate." Frunzar v. Allied Property and Casualty Ins. Co., (Iowa 1996) 548 N.W. 2d 880 "Professional statements of litigants attorney [prosecutor] are treated as affidavits, and attorney [prosecutor] making statements may be cross-examined regarding substance of statement." (Therefore, unless the prosecutor has firsthand knowledge, his testimony in brief or in argument is hearsay and inadmissible.) Oklahoma Court Rules and Procedure, Federal local rule 7.1(h) "Factual statements or documents appearing only in briefs shall not be deemed to be part of the record in the case, unless specifically permitted by the Court." In other words, there must be testimony from a man or a woman who suffered a harm and is available to depose, confront, and cross-examine, pursuant to the Sixth Amendment. At common law, for a cause of action to be actionable, a man or woman (corpus delecti) must bring forth an affidavit/statement alleging injury in fact perpetrated by the accused. Jorgensen v. State, 567 N.E.2d 113, 121. "To establish the corpus delecti, independent evidence must be presented showing the occurrence of a specific kind of injury and that a criminal act was the cause of the injury." Sherer v. Cullen 481 F. 945 "For a crime to exist, there must be an injured party (Corpus Delecti). There can be no sanction or penalty imposed on one because of this Constitutional right." People v. Lopez, 62 Ca. Rptr.47, 254 C.A. 2d 185. Supreme court ruled "Without Corpus Delecti there can be no crime" "In every prosecution for crime it is necessary to establish the "corpus delecti". i.e. the body or elements of the crime." Johnson v. State, 653 N.E.2d 478, 479 (Ind. 1995). "State [federal government] must*

produce corroborating evidence of "corpus delecti," showing that injury or harm constituting." By what authority can the federal government bring forth a criminal action when it has no constitutional mandate to adjudicate common law crimes; it has no power to create crimes against the federal government, See *U.S. v. Hudson and Goodwin*; it is in breach of fiduciary duty; and it has committed fraud via breach of fiduciary duty against the People and treason against the organic Constitution!

As a matter of law, when judges are enforcing mere statutes, they are not acting judicially, as stated in *Owen v. City*, 445 U.S. 662; *Bothke v. Terry*, 713 F2d 1404 "When enforcing mere statutes, judges of all courts do not act judicially (and thus are not protected by "qualified" or "limited immunity,") - but merely act as an extension as an agent for the involved agency but only in a "ministerial" and not a "discretionary capacity..." *Thompson v. Smith*, 154 S.E. 579, 583; *Keller v. P.E.*, 261 US 428; *F.R.C. v. G.E.*, 281, U.S. 464. Therefore, this tribunal would not be a Court of Justice, or Court of Record following the common law, as required in Article III, and in the Seventh Amendment, thus violating my right to a court of record and court of justice that follows the common law. A court of record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate/judge designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial. *Jones v. Jones*, 188, Mo. App. 220, 175 S.W. 227, 229; *Ex Parte Gladhill*, 8 Metc. Mass. 171, per Shaw, C. J. See *Ledwith v. Rosalsky*, 244 N.Y. 406 155 N. E. 688, 689.

When the court is not following the common law, it is in breach of fiduciary duty to protect my rights as one of the People, thus entitling me to dismissal with prejudice. In point of fact and law governments are artificial manifestations. Codes, statutes, regulations etc. that do not apply to Sovereign Man. *Flournoy v. First National Bank of Shreveport*, 197 LA 1057-3 So. 2d 244,248. A "Statute is not a Law ... A "code" is not Law." – *In Re Self v. Rhay*, Wn. 2d 261, *In point of fact ... "The common law is the real law, the Supreme Law of the land, the codes, rules, regulations, policy and statutes are "not the law". They are the law of government for internal regulations, not the law of man, in his separate but equal station and natural state, a sovereign foreign with respect to government generally;*" *Marbury v. Madison*, 5 U.S. (2 Cranch) 137, 180 (1803) "...Once again, we are not of like kind, precluding any jurisdictional authority." *This fact and truth is affirmed in (Rodriques v. Ray Donovan, U.S. Department of Labor*, 769 F.2d 1344,1348 (1985) "No provision of the Constitution is designed to be without effect." "Anything that is in conflict is null and void of law." "Clearly, for a secondary law to come in conflict with the supreme Law was illogical, for certainly, the supreme Law would prevail over all other laws and certain our forefathers had intended that the supreme Law would be the basis of all law and for any law to come in conflict would be

*null and void of law, it would bare [bear] no power to enforce, it would bare [bear] no obligation to obey, it would purport to settle as if it had never existed, for unconstitutionality would date from the enactment of such a law, not from the date so branded in an open court of law, no courts are bound to uphold it, and no Citizens are bound to obey it. It operates as a near nullity or a fiction of law" ... "All codes, rules, and regulations are for government authorities only, not human/Creators in accord with God's Laws. All codes, rules, and regulations are unconstitutional and lacking due process of law..." "lacking due process of law, in that they are "void for ambiguity" in their failure to specify the statutes applicability to "natural persons", otherwise depriving the same of fair notice, as their constitution by definition of terms aptly identifies the applicability of such statutes to "artificial or fictional corporate entities or "persons", creatures of statute, or those by contract employed as agents or representatives, departmental subdivisions, offices, and property of the government, but not the "Natural Person" or American citizen Immune from such jurisdiction of legalism."*

As stated in the Telephone Cases, *Dolbear v. American Bell Telephone Company, Molecular Telephone Company v. American Bell Telephone Company, American Bell Telephone Company v. Molecular Telephone Company, Clay Commercial Telephone Company v. American Bell Telephone Company, People's Telephone Company v. American Bell Telephone Company, Overland Telephone Company v. American Bell Telephone Company, (PART TWO OF THREE) (03/19/88) 126 U.S. 1, 31 L. Ed 863, 8 S. Ct. 778* "Care has been taken, however, in summoning witnesses to testify, to call no man whose character or whose word could be successfully impeached by any methods to the law. And it is remarkable, we submit, that in a case of this magnitude, with every means of resource at their command, the complainants [plaintiff federal government], after years of effort and search in near and in the most remote paths, and in every collateral by-way, now rest the charges of conspiracy and of gullibility against these witnesses only upon the bare statements of counsel. The lives of all the witnesses are clean, their characters for truth and veracity un-assailed, and the evidence of any attempt to influence the memory or the impressions of any man called, cannot be pointed out in this record."

On what authority does the government presume to bring forth this action against me with no man or woman with firsthand testimony that he/she has been harmed by my alleged criminal activities? The federal government cannot speak, it cannot testify, it cannot bring forth any testimony because it is an artificial entity with no ability for me to depose, confront or cross- examine, pursuant to my due process rights and my Sixth Amendment protected rights.

The federal judge is duty-bound to protect my constitutional Rights and to not accept a frivolous case against a Sovereign living man from an artificial corporate construct, even if it is the federal government!

Therefore, all information that has been submitted into the record that has not come from the plaintiff via affidavit, as a firsthand witness, and the individual party alleging concrete and particularized injury, as having sustained injury in fact, is inadmissible as it is all hearsay. *Trinsey v. Pagliaro, D.C. Pa. 1964, 229 E. Supp. 647* *An attorney for the plaintiff cannot admit evidence into the court. He is either an attorney or a witness*" "*The prosecutor is not a witness; and he should not be permitted to add to the record either by subtle or gross improprieties. Those who have experienced the full thrust of the power of government when leveled against them know that the only protection the citizen has is in the requirement of a fair trial.*" "*Statements of counsel in brief or in argument are not facts before the court and are therefore insufficient for a motion to dismiss [indict] or for summary judgment.*" "*Where there are no depositions, admissions, or affidavits the court has no facts to rely on for a summary determination [indictment].* And in, *Donnelly v. Dechristoforo, 1974, SCT. 41 709 Section 56; 416 U.S. 637 (1974)* dissenting Justice Douglas dissenting. "*Factual statements or documents appearing only in briefs shall not be deemed to be a part of the record in the case...*" *Oklahoma Court of Rules and Procedure, Federal local rule 7.1 (h).* The only statements that are to be considered must be verified (sworn) statements, such as the instant one, which is submitted via Affidavit or Truth.

**MAXIM:** *Truth is expressed in the form of an affidavit.*

**MAXIM:** *An unrebuted affidavit stands as truth in the matter. "The practice of an attorney filing an [unverified] affidavit on behalf of his client asserting the status of that client is not approved, inasmuch as not only does the [unverified] become hearsay, but it places the attorney in a position of witness thus compromising his role as advocate"* *Porter v. Porter, (N.D. 1979) 274 N.W. 2d 235 n.* *This cause of action in its entirety must be dismissed with prejudice for failure to have verified statement from plaintiff.*

Furthermore, *United States v. Hudson and Goodwin, 11 U.S. (7 Cranch) 32 (1812)*, "*Certain implied powers must necessarily result to our courts of justice from the nature of their institution. But jurisdiction of crimes against the state [federal government] is not among those powers ... all exercise of criminal jurisdiction in common law cases we are of opinion is not within their implied powers.*" By what authority does the federal government presume and assume jurisdiction when it has not presented one iota of firsthand testimony directly from the plaintiff and it has no jurisdictional authority to prosecute common law crimes, it has no authority to convert/innovate a new crime

against The People... it must facially name the common law crime it attempts to prosecute on the face of the indictment/bill of information/presentment, in contrast to asserting a statutory violation in accordance with the common law, it has no power to assume jurisdiction of crimes against the state [federal government] and the prosecutor is barred from presenting evidence as it would be hearsay?

Judges are presumed to know this, and they are duty-bound to follow the common law and to exercise judicial power. *Scheuer v. Rhodes*, 416 U.S. 232, 94 S. ct 1683, 1687 (1974) *Note: By law, a judge is a state [federal] officer [servant]. The judge then acts not as a judge, but as a private individual (in his person). When a judge acts as a trespasser of the law, when a judge does not follow the law, the Judge loses subject-matter jurisdiction and the judges' orders are not voidable, but VOID, and of no legal force or effect. The U.S. Supreme court states that "when a state [federal] officer acts under a state [federal] law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State [federal government] has no power to impart to him any immunity from responsibility to the supreme authority of the United States."*

*U.S. Supreme Court TransUnion v. Ramirez June 25, 2021, clarified what injury-in-fact plaintiffs must show to have standing to assert statutory rights in federal court. This follows the Court's 2016 decision in Spokeo v. Robins, in which it held "concrete harm" was required to pursue claims under the Fair Credit Reporting Act and other privacy statutes in federal court but left open how to determine if a harm was sufficiently concrete. Justice Kavanaugh wrote for the majority that Article III standing, a prerequisite for federal court jurisdiction, is rooted in the separation of powers doctrine, "woven into" the Constitution.*

Without an individual injury, the Court held, it is within the Executive Branch's discretion to decide how aggressively to pursue legal action against "regulatory" defendants. *Private plaintiffs are not accountable to the people and are not charged with pursuing the public interest in enforcing a defendant's general compliance with regulatory law.*" *Statutory [privacy] claims, and Article III requires a "concrete and particularized injury" that is not satisfied.*" In Spokeo, the Court made clear that mere procedural violations are not enough to support *"whenever a statute grants a person a statutory right and purports to authorize that person to sue to vindicate that right."* Five years after Spokeo, the TransUnion decision clarified that a concrete injury necessary for standing is one with a close relationship to harms traditionally recognized as providing a basis for lawsuits in American courts. The Court recognized that Congress's views *"may be instructive" on this question of fact, when Congress decides to elevate de facto harms*

*that were not previously cognizable at law into legal harms, but Congress cannot simply "enact an injury into existence" that did not exist in fact prior to the law. Therefore, where does the federal government, at common law, derive its authority to create crimes against the government?*

*United States v. Texas, 599 U.S. 2023 Citing common law and Article III as opposed to statutory rules and regulations, "Texas and Louisiana lack Article III standing to challenge the Guidelines. To establish standing, a plaintiff must show an injury in fact caused by the defendant and redressable by a court order. The alleged injury must "be legally and judicially cognizable."*

There is no precedent, history, or tradition of federal courts entertaining lawsuits of this kind; *a plaintiff lacks standing to bring such a suit "when he himself is neither prosecuted nor threatened with prosecution."* Since the federal government cannot be prosecuted of a crime, it has no Standing; it has no threat, and it can NOT act mercilessly and ruthlessly against the People if it so chooses, depriving me of my right to due process and of my natural rights to life, liberty and the pursuit of happiness from a dead, artificial entity with no standing and who is in fiduciary breach to the People.

For the federal government to have authority to bring forth an action against me, plaintiff must have Standing in Federal Court. Federal courts only have constitutional authority to resolve actual disputes or controversies as stated in the Seventh Amendment. *In Lujan v. Defenders of Wildlife (90-1424), 504 U.S. 555 (1992), the Supreme Court created a three-part test to determine whether a party has standing to sue. The first of the three-part test is that: "The plaintiff must have suffered an "injury in fact," meaning that the injury is of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent. Spokeo, Inc. v. Robins, 578 U.S. 330 (2016), was a United States Supreme Court case in which the Court vacated and remanded a ruling by United States Court of Appeals for the Ninth Circuit on the basis that the Ninth Circuit had not properly determined whether the plaintiff has suffered an "injury-in-fact" when analyzing whether he had standing to bring his case in federal court. The standard for an injury-in-fact is found in United States v. Texas, 599 U.S. 2023 Citing common law and Article III as opposed to statutory rules and regulations, "Texas and Louisiana lack Article III standing to challenge the Guidelines. To establish standing, a plaintiff must show an injury in fact caused by the defendant and redressable by a court order... "a plaintiff lacks standing to bring such a suit "when he himself is neither prosecuted nor threatened with prosecution."*

In 1819 the "missing" 13th Amendment, prohibiting public servants from receiving foreign titles of nobility or any other emolument from a foreign power was passed, in

harmony with the organic Constitution at “Article 1, Section 9, Clause 8, “No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.” The letter of the law is self-explanatory. While the current versions of the de facto Constitution does not reflect the original 13th Amendment, it is still the law of the land because it was indeed passed by 13 Union states by the year 1819, as reflected in numerous official publications, and it has never been repealed. The 13th Amendment’s validity was affirmed as having been authentically passed and ratified in 2004, by the Nevada state court, superior court common law venue original jurisdiction united States of America Nevada Republic (organic) “Findings of Fact” and in “MILITARY LAWS of the UNITED STATES authorized by Secretary of War, John C. Calhoun, which decision cannot be reviewed by any other court of the land, published in Washington, D.C”. See EXHIBIT 1. (in order to save paper I’ve attached the hyperlink)

[https://jobyweeks.com/wp-content/uploads/2025/01/13th\\_Amendment\\_State\\_by\\_State\\_Ratification\\_Proofs.pdf](https://jobyweeks.com/wp-content/uploads/2025/01/13th_Amendment_State_by_State_Ratification_Proofs.pdf)

As further proof of its existence and its validity as still being the law of the land, on or about March 20, 2013, the New Hampshire Legislature passed HB 638, recognizing the Article XIII, known by a few as: “*The Missing 13th Amendment, missing from the organic Constitution. The fact and Truth is that the organic Constitution was treasonously altered to reflect a fraudulent copy of the original organic Constitution. 16 Am Jur 2nd Section 178*” “*The general rule is that an unconstitutional act of the Legislature protects no one. It is said that all persons are presumed to know the law, meaning that ignorance of the law excuses no one; if any person acts under an unconstitutional statute, he does so at his peril and must suffer the consequences.*” Therefore, ignorance of this fact does not excuse him from said knowledge. Public servants in this setting are compelled to follow the letter of the law or be held in breach of fiduciary duty to the People, or worse.

*This valid law of the land, 13th Amendment reads: “If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.”*

Ignorance of this fact does not excuse our public servants, especially judges and attorneys from said knowledge. Public servants in this setting are compelled to follow the letter of

the law or be held in breach of fiduciary duty to the People, or worse. *Owen vs. City of Independence, 100 S. Ct. 1398; Maine vs. Thiboutot, 100 S. Ct. 2502; and Hafer vs. Melo, 502 U.S. 21*: “*officials and judges are deemed to know the law and sworn to uphold the law; officials and judges cannot claim to act in good faith in willful deprivation of law, they certainly cannot plead ignorance of the law, even the Citizen cannot plead ignorance of the law, the courts have ruled there is no such thing as ignorance of the law, it is ludicrous for learned officials and judges to plead ignorance of the law therefore is no immunity, judicial or otherwise, in matters of rights secured by the Constitution for the United States of America.*”

The ramifications of this matter of fact, and law are vast. The legitimacy of the original 13th Amendment invalidates any laws whatsoever that have been passed by any seated congressmen/legislators since the date it was ratified because most of the congressmen are B.A.R.-member attorneys, who have been granted the acronym, Esq. or **Esquire**, as a title of nobility by the Crowne of England as an emolument and to whom they surreptitiously swear their allegiance.

Since B.A. R. attorneys swear allegiance to a foreign entity, they are then foreign agents, and they are required to register under the *Foreign Agents Registration Act (FARA)* as foreign agents. By what authority can the federal government presume to have jurisdiction when the public servants are in fiduciary breach of duty to the People, and committing acts of treason?

The organic Constitution requires that all public servants take an oath to the organic Constitution. Therefore, taking a private oath to a foreign entity and to the *de jure* Constitution constitutes an act of treason.

**MAXIM: *A servant cannot serve two masters.***

As a matter of law, accepting a title of nobility is a treasonous act. Any laws, statutes, codes, regulations “enacted” by congress or by any one of the several states’ legislatures are therefore void *ab initio*, irrespective of whether those “laws” can be construed as being in harmony with the organic Constitution because the legislators, judges, attorneys etc. violate the law of the land, thus supplanting the “laws” conformity to the organic Constitution. *In Scheuer v. Rhodes; Merritt v. Hunter, C.A. Kansas 170 F2d 739* “*Where a court failed to observe safeguards, it amounts to denial of due process of law, court is deprived of juris.*” *Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 140137 (1958)*. “*No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.*” *Williamson v. U.S. Department of Agriculture, 815 F. 2d 369, ACLU Foundation v. Barr, 952 F. 2d, 457, 293 U.S. App. D.C. 101, (CA De 1991)* “*It is the duty of all officials whether legislative, judicial, executive,*

*administrative, or ministerial to so perform every official act as not to violate constitutional provisions.”*

*Schware v. Board* *Schware v. Board of Examiners of NM* 353 U.S. 232, 239 (1957) held that “*Attorneys cannot represent any private citizen nor any business as the State [federal government] cannot license the practice of law*” Equal protection under the law of the 14th Amendment allows that anyone may practice law.... On what authority do B.A.R.-member attorneys assume the right to defend or to prosecute any private citizen? And by what constitutional authority can the courts compel a “*Farettta hearing*” as a condition precedent before I am allowed to exercise my self-executing Right to choose my own assistance of counsel, or choose not to have assistance of counsel? By what constitutional authority can the Supreme Court issue a BAR-member attorney exclusive access to representation, in violation of the Sixth Amendment, which allows for assistance of counsel... not for assistance of BAR-member counsel?

See also 7 Corpus Juris Secundum Section 4. The defense attorneys that I fired for cause, fraud, swindle, and ineffective assistance of counsel violated my natural rights, my due process rights, and other rights under the organic Constitution, especially, but not limited to the Fifth and Sixth Amendments, as well as my protected right to valid contract under the Contract Clause of the organic Constitution. Attorneys have a fiduciary duty to provide lawful assistance of counsel.

Being officers of the court, supervisory responsibility inures the court to hold them accountable. An attorney who holds himself out to be a licensed attorney to the public is committing fraud via intentional concealment of this material fact, a fraud, entitling me to recover ALL attorney’s fees paid to him via Order from the court for immediate reimbursement. Violation of Constitutional and unalienable rights constitute the right to dismissal with prejudice in accordance with the papers and with the remedies sought herein.

7 Corpus Juris Secundum Section 4: *Attorney & Client* defines the duty of B.A.R.-member attorneys, and it does not include a primary duty of the client (me), as we are all led to believe, thus intentionally concealing a material fact, a fraud. “*His first duty is to the courts and the public, not to the client, and wherever the duties to his client conflict with those he owes to an officer of the court in the administration of justice, the former must yield to the latter.*” ... “*A client is one who applies to a lawyer or counselor for advice and direction in a question of law or commits his cause to his management in prosecuting a claim or defending against a suit in a court of justice, one who retains the attorney, is responsible to him for the management of the suit; one who communicates facts to an attorney expecting professional advice. Clients are also called “wards of the*

*court" in regard to their relationship with their attorneys. " "Wards of court: Infants and persons of unsound mind placed by the court under the care of a guardian. "*

*Sims v. Aherns* 271 S.W. 720 (1925) "The practice of law is an occupation of common right." *Brotherhood of Trainmen v. Virginia State Bar* (377 U.S. 1); *Gideon v. Wainwright* 372 U.S. 335; *Argersinger v. Hamlin, Sheriff* 407 U.S. 425 "Litigants may be assisted by unlicensed layman during judicial proceedings." *NAACP v. Button* (371 U.S. 415), *United Mineworkers of America v. Gibbs* (383 U.S. 715); *Johnson v. Avery* 89 S. Ct. 747 (1969) "Members of groups who are competent non lawyers can assist other members of the group achieve the goals of the group in court without being charged with unauthorized practice of law." Given that the legislators and the B.A.R.-member attorneys in the District Court of New Jersey, Florida and Colorado are warring against the organic Constitution, thus committing acts of treason, that fact makes the court itself non-constitutional.

*State v. Batson*, 17 S.E. 2D 511, 512, 513 "No action can be taken against a sovereign [man or woman] in the non-constitutional courts of either the united states or the state [federal] courts and any such action is considered the crime of Barratry. Barratry is an offense at common law and a RICO violation, and human trafficking." Thus, the federal government has been in breach of fiduciary duty to the People since at least 1819, therefore losing its perceived sovereignty, and rendering ALL laws passed and enforced by the federal government null and void ab initio.

The B.A.R. associations have no legislative authority to have been created. They are private corporations. There is no constitutional authority or lawful Statute-at-Large creating any B.A.R. association. Yet, they deceive the People into believing that attorneys are licensed, and they are to be trusted. Where in the constitution or in any constitutionally enacted Statutes-at-Large were attorneys/lawyers, most especially Crown Temple B.A.R. Attorneys ever given the constitutional authority to practice law in the courtroom? Yet, I am made to believe that I can be deprived of "representation" by anyone other than a B.A.R. member in this tribunal, constituting *prima facie* evidence of a violation of my Sixth Amendment right to assistance of counsel. I was compelled to fly across the country and drug into court to attend a "Faretta hearing" before the court would acknowledge that I had fired my attorneys. Even though I had already fired them in writing 3 separate times prior. Where in the *de jure* Constitution does the court derive the authority to deprive me of conducting my own defense, or of filing my own documents with the court, until after I have attended this hearing? Is this not a violation of due process of law to deprive me of accessing the court until I have proven myself subjectively "worthy" during a tribunal, with no trial by jury? Not allowing me access to my Sixth Amendment Right without such governmental intervention is a violation of my

Rights to liberty and to conduct my own affairs. Even though I managed to survive the "Faretta hearing" I was warned/intimidated that my unalienable Right to self-defense was subject to withdrawal at any moment "if" I did not conduct myself in a manner the court subjectively deemed to be somehow "appropriate."

The fact that BAR-member attorneys are not licensed, but they are the only ones allowed to "represent" one of The People in a court of record/justice in violation of my Sixth Amendment Right to assistance of counsel is unlawful on its face and deprives The People of their self-executing Right to assistance of counsel of one's own choice... up to and including, non-BAR-member assistance of counsel, and self-defense, choosing one's self to defend. There is no constitutional authority for the courts to deprive me of my own non-BAR member counsel, or to have me jump through hoops (via Faretta hearing) to have the "privilege" of self-defense during the proceedings.

MAXIM: Court cannot convert a right into a privilege.

These judicial officers/agents [attorneys, courts, federal courts] commit fraud, deceit, coercion, willful intent to injure another [via unlawful indictments], malicious acts [to deprive me of natural and protected rights to life, liberty and the pursuit of happiness], RICO [via Barratry] activity and conspired by; Unconscionable "contract" - *"One which no sensible man not under delusion, or duress, or in distress would make, and such as no honest and fair man would accept."*; *Franklin Fire Ins. Co. v. Noll*, 115 Ind. App. 289, 58 N.E.2d 947, 949, 950.

Fraud by government servants is a breach of fiduciary duty to the People, and constitutes a deprivation of constitutionally protected rights, thus entitling me to dismissal with prejudice in accordance with the remedies sought herein.

The fraudulently "presumed" quasi-contracts that attempt to bind me with the de facto federal government, its de facto courts and its unconstitutional B.A.R.-member attorneys, is void for fraud ab initio since the de facto federal government cannot produce the material fact whereby I knowingly and voluntarily agreed to enter this unconscionable contract, which was unlawfully presumed by the federal government via tacit acquiescence or tacit procurement. Pursuant to the organic Constitution, I am free to contract and to rescission contract upon knowledge of fraudulent inducement, or simply because, as Sovereign Man, I so choose.

*Berry v. Stevens, 1934 OK 167 31 P. 2D 950 "Fraud in the procurement of any written instrument [and/or via tacit acquiescence or tacit procurement] vitiates it in the hands of one seeking to benefit thereby, Fraud destroys the validity of everything into which it enters. It vitiates the most solemn contracts, documents, and even judgments. Fraud, as it is sometimes said, vitiates every act." See also Throckmorton, 98 US 61 "Fraud vitiates*

*all.* " Fraud entitles me to dismissal with prejudice. A valid contract includes consideration. Where is the consideration for this adhesion contract? Where is the jurisdictional authority upon which it has presumed and assumed jurisdiction authority? (SEE: *Master I Servant [Employee]Relationship -- C.J.S.*)

"Personal, Private, Liberty" By what authority can the federal government via its public servants that are B.A.R.-member attorneys, in violation of the original 13th Amendment, be afforded standing to bring forth this cause of action?

Let the record reflect that I hereby rescission ALL contracts (written or presumed tacit acquiescence, tacit procuration) upon which this tribunal may have attempted to assume personal or subject matter jurisdiction. It is my right under the organic Constitution to enter contracts, and to rescission an unconscionable or an unlawfully obtained contract upon my knowledge of said fraudulent act having been taken against me.

In 1913 in a secret meeting at Jekyll Island off the coast of Georgia a group of American bankers and foreign dignitaries convened and *created the Federal Reserve*, which Act was unlawfully and treasonously ratified while Congress was on Christmas recess, on December 23, 1913. Despite what most people believe, the Federal Reserve is not a federal agency. It is a foreign for-profit corporation owned and operated by foreign dignitaries with its own Federal Reserve Board of Governors and a Duns number of 001959410.

The Federal Reserve treasonously, effectively and unconstitutionally usurped the organic federal government's enumerated power to coin and regulate the monetary instruments for use by the several states, by the People and by the federal government as the instrument of monetary exchange to make debt payments. The paper money (fiat) changed names from United States Notes to Federal Reserve Notes or "FRNs". From that moment forward the monetary mandate for the federal government to coin and regulate the monetary instruments of the federal government was surreptitiously delegated to a foreign corporation, once again, rendering the federal government in breach of fiduciary duty to the People, and in treason.

With no authority or knowledge provided to the People, in *Senate Report 93-549* it reads (*The United States has been under dictatorial control since March 9, 1933*). Report of the Special Committee on the Termination of the National Emergency Senate Report 93-549, War and Emergency Powers Act, November 19, 1973, Foreword. "Since March 9, 1933, the United States has been in a state of declared national emergency... These proclamations give force to 470 provisions of Federal Law. These hundreds of statutes delegate to the President extraordinary powers, ordinarily exercised by Congress, which affect the lives of American citizens in a host of all-encompassing manners. The vast

*range of powers, taken together, confer enough authority to rule the country without reference to normal Constitutional processes. Under the powers delegated by these statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication; regulate the operation of private enterprise; restrict travel; and, in a plethora of particular ways, control the lives of all Americans.”* This treasonous act constitutes breach of fiduciary duty to the People. By what authority can the federal government assume powers normally delegated to the congress and deprive The People of our protected rights?

On March 17, 1993, Vol. 33, page H-303 the United States Congressional Record reflects Speaker-Rep. James Traficant, Jr (Ohio) addressing the House wherein he speaks about the Emergency Banking Act March 9, 1933, 48 Stat. 1, Public Law 89- 719. “*Mr. Speaker, we are here now in Chapter 11... Members of Congress are official trustees presiding over the greatest reorganization of any Bankrupt entity in world history, the U.S. Government. We are setting forth hopefully, a blueprint for our future. There are some who say it is a coroner’s report that will lead to our demise.*” In that same speech, James Traficant confirms that HJR 192, 73rd Congress in session June 5, 1933, suspended the Gold Standard and abrogated the Gold Clause which dissolved whatever sovereign authority of the United States it may have still presumed to have had, and the official capacities of all United States Government Offices, Officers, and Departments and is further evidence that the United States Federal Government exists today in name only. Traficant further stated that the receivers of the United States Bankruptcy are the International Bankers, via the United Nations, the World Bank and the International Monetary Fund. He stated that all Officers, Officials and Departments are now operating within a de facto status in name only under the Emergency War Powers.

With the Constitutional Republican form of Government admittedly dissolved, the receivers of the Bankruptcy have adopted a new form of government for the United States. This new form of government is known as a “Democracy,”, being an established Socialist/Communist order under the new governor for America. The Act was instituted by transferring and/or placing the office of the Secretary of Treasury to that of the Governor of the International Monetary Fund... Mr. Traficant continued by stating that We the People no longer have any “money”. Most Americans have not been paid any “money” for a very long time, perhaps not in my entire life. If this is not a breach of fiduciary duty to the People, I don’t know what is! Yet, we have never been told any of this due to intentional concealment of material facts, fraud, and treason for not upholding the organic Constitution, and an unconscionable and egregious act against The People, thus making my “money” nothing more than a debt instrument, worthless, depriving me of my constitutional right to gold and silver asset backed monetary instruments.

On May 23, 1933, Congressman, Louis T. McFadden ... brought forth formal charges against the Board of Governors of the Federal Reserve Bank system (private corporation) The Comptroller of the Currency and the Secretary of United States Treasury for numerous criminal acts, including but not limited to, CONSPIRACY, FRAUD, UNLAWFUL CONVERSION, AND TREASON. The petition for Articles of Impeachment was thereafter referred to the Judiciary Committee and has YET TO BE ACTED ON!!! By what authority does the government believe it has standing to bring forth any causes of action whatsoever against me when it has breached the most solemn of fiduciary duties by committing treason and doing whatever it can to continue to conceal it to this very day, and it attempts to deprive me of my natural rights to life, liberty and the pursuit of happiness, and my protected rights under the organic Constitution as well as its Amendments!!!

More recently, the federal government is in breach of fiduciary duty by not protecting the southern border of our Republic, pursuant to its duty to protect against invasion under the Article 4 Section 4 of the organic Constitution, and allowing foreign invaders to breach the borders of the several states, such as Arizona, California, and Texas, and facilitating the invaders by paying them monthly stipends, providing free housing and medical care, and free transportation anywhere within the 50 states where these invaders seek to go. This breach of fiduciary duty is unconscionable because it places The People of the several states in harm's way and it unlawfully allocates American's tax dollars to foreign invaders! By what authority does this treasonous federal government believe it can bring charges against me, one of the Sovereign American People as seen in the organic Constitution, when it is committing treasonous acts against The People, and is in breach of fiduciary duty?

HJR 192 outlaws the simple act of us "paying with real money" in favor of debt instruments known as Federal Reserve Notes, from a foreign, private for-profit corporation, a felony by submitting the lawyer's parlor trick of "discharging" debts. By what authority did the federal government abrogate its organic Constitution's enumerated power under Article 1 Section 8, Clause 5 to coin money, regulate the value thereof, and of foreign coin, and fix standard weights and measures?

Magistrate "judges", having been appointed by federal judges who have no constitutional authority to appoint them, are non-constitutional, and they are not qualified or authorized to exercise any judicial Power, or to enter any decision whatsoever against Sovereign Man/Woman. As a matter of law, ALL decisions that have been entered against me by magistrate judges, are null and void ab initio.

These decisions have numerous times violated my God-given, Natural, unalienable and self-executing Rights, which are acts of treason, since magistrate judges are also duty-

bound to uphold the constitution. Federal judges, having abrogated the organic Constitution by appointing magistrate “judges” and conferring upon them adjudicatory functions that affect my liberty and deprive me of any one of my unalienable Rights, have committed acts of treason.

Both the federal district judges and the magistrate “judges” have therefore violated my constitutional Rights by intentionally concealing these matters of material fact, which is fraud. Judges are not above the law; they are presumed to know the law.

**MAXIM: *Ignorance of the law is no excuse.***

Their wonton fraud constitutes fraud upon the court, fraud upon the American people, and fraud ab initio. And FRAUD VITIATES ALL See Throckmorton. When judicial officers who have taken an oath to uphold the organic Constitution commit acts of fraud, that is incontrovertible cause for automatic dismissal with prejudice and for the kind of remedy I seek herein for maliciously and with malice aforethought, violating and depriving me of my unalienable Rights.

The constitutional self-executing Right to a trial by jury is not subject to innovation of the procedures via coercion and/or intimidation, while also being under extreme duress. In my case, the government routinely denied me bail bouncing me all over the country. From State to State to State to Jail to jail to jail... for 11 months without first convicting me of a crime! I finally relented, under the fear of death, and admitted that  $2+2=5$ . i.e. a coerced and fraudulent plea statement so that I could finally be released on bail in violation of the 8<sup>th</sup> and 5<sup>th</sup> amendments. The judge allowed that fundamental deprivation of an unalienable Right, in violation of duty-bound obligation to uphold the constitution. Also, in violation of duty-bound Maxim: *The judge is the counselor for the prisoner.*

The federal judge also allowed the entry of a plea statement on a non-crime as mentioned beforehand. Judges are duty-bound to know the law, and to adhere to it even if countless precedent cases have abrogated the law of the land. Judges are also duty-bound to know that an amendment cannot reverse the law of the land within the body of the organic Constitution, such as Article One Section 2 being changed/reversed in the Sixteenth Amendment.

**MAXIM: An amendment [to the original instrument] is not a repeal. [Fundamental principles are not annulled by amendment.] Mass. Bond & Ins. Co. v. U.S., 352 U.S. 128, 139.**

The promise within the plea statement was that I would get a co-operation letter and “time served” if I made the false plea statement, which occurred after the judge had, along with denying me bail, also denied me my unalienable self-executing Right to Six

Amendment Right to Speedy Trial defense by acquiescing to the government's contrived scheme that this was a "complex litigation" case, making it somehow ok to make an "ends of justice" announcement to deprive me of a constitutionally protected self-executing Right. These violations occurred in 2019. Today, 5+ years later, I still sit here under the same unconstitutional deprivations of my fundamental, God-given, Natural, unalienable, self-executing Rights. *Doggett v. United States (1992) Emphasized that prolonged delays in prosecution can violate the speedy trial right, even without prejudice.*

These violations entitle me to automatic dismissal with prejudice in accordance with the defenses I presented. As a matter of law, I am also entitled to remedy, and where there is none stipulated at common law, I have a constitutional Right to create my own lawful remedy.

MAXIM: Where there is a legal right there is also a remedy.

2 Rolle, 17, C.L.M; Broom, Max. 191, 204; 1 Term. 512; Co. Lin. 197th; 3 Bouv. Inst. n. 2411.

MAXIM: When the law gives anything, it gives the means of obtaining it.

(all incidents are tacitly given). 2 Inst. 326; 5 Coke, 47, 3 Kent, Comm. 421; Hob. 234.

In the underlying cause of action, I was coerced via intimidation, fraud and undue distress to make a plea statement on a separate but related alleged civil statutory code violation. That new action was obtained by Bill of Information, with no verified complaint, which is prohibited per the common law, and unconstitutional because I am entitled to a common law grand jury indictment on all felonies. The alleged statutory violation is based upon title 26 which is not positive law. It is not law at all! It is instead mere *prima facia* evidence of law.

The combination of the violations stated above violate numerous self-executing Rights found in the various Bill of Rights... Right to common law grand jury indictment (and not statutory grand jury indictment), Right to bail and a Trial by Jury etc.

The FBI was the agency that "investigated" the "unlawful" act that I allegedly committed.

The organic constitution is silent on investigatory "agencies" to assist the sheriff's office in investigating criminal acts at the direction of the common law grand jury. What is not within the enumerated powers, is reserved either to the several states or to the people pursuant to the Ninth and Tenth Amendments.

Can anyone show me the charter/enabling act from Congress for the FBI to even exist? There isn't one! When it was brought to Congress, it was NOT approved because spying

on Americans and assassinating sitting Presidents is unconstitutional! After being denied a charter, The Attorney General, Bonaparte, did an end run and created the FBI himself in 1908 (United States Government Manual 347-8) with limited powers. 28 U.S.C. 533 and 535(a) only authorizes the FBI to investigate GOVERNMENT and crimes involving government officers and employees, not private people like me. "Bureaus" like the FBI are created by regulation. They are not an agency created by Congress. They operate internally within the government. They shouldn't even be involved in this case to begin with because I'm NOT an officer or employee of the Federal government and I didn't damage or misuse any government property. It's true with the IRS as well. In fact, the IRS/Plaintiff wasn't even created by regulation! There is NO STATUTE or REGULATION expressly creating "The Internal Revenue Service". It's a private debt collection agency for the PRIVATE Federal Reserve Bank. (Duns & Bradstreet # 001959410).

Congress is barred from delegating powers to an agency that it does not itself possess.

MAXIM: A delegated power cannot be again delegated. 2 Inst. 597; Black's 2d. 347; Bouv. Inst.

n. 1300. A deputy cannot have [or appoint] a deputy. Story, Ag. S. 13; 9 Coke, 77; 2 Bouv. Inst. 1936.

In the case of the FBI, Congress does not possess the power at all to create an entity outside of the Sheriff to investigate crimes. Let alone delegating that non-power via the creation of an agency such as the FBI. And, even if it did have that power, the FBI would have to exist pursuant to a properly and constitutionally enacted law and the creation of its charter. Therefore, any evidence they may presume to have collected against me, is inadmissible. It's called "fruit of a poisonous tree" which a relative of mine named Weeks had to take all the way to SCOTUS back in 1914! Interesting how history repeats itself.

Similarly, Federal Rules of Civil Procedure and Federal Rules of Criminal Procedures have never been properly enacted into law in accordance with the procedures prescribed in the organic Constitution. These "rules" which are not the law of the land are created by the supreme Court justices, who then submit them to the Congress for them to rubber-stamp. Not only does Congress not have an enumerated power to create these rules of procedure, they also do not have the authority to delegate a power they do not have to the supreme Court.

MAXIM: A deputy cannot have (or appoint) a deputy. Story, Ag. S. 13; 9 Coke, 77; 2 Bouv. Inst. n. 1936.

The supreme Court belongs to the judiciary, as stated in Article III of the organic Constitution. It has no power or authority to encroach upon legislative power. Therefore, both sets of rules have been non-constitutionally created and they are routinely imposed on the American people contrary to the law of the land, rendering them unconstitutional. Those rules abrogate our unalienable Rights to due process of law, which is a secure Right in the Fifth Amendment.

Judges are presumed to know the law and MAXIM: *Ignorance of the law is no excuse* applies to judicial officers as well. They are duty-bound to protect the American people against usurpers of the law which violate the unalienable Rights of the American people.

Trinsey v. Pagliaro, D.C. Pa. 1964, 229 Supp. 647 “An attorney [prosecutor] for the plaintiff cannot admit evidence into the court. He is either an attorney [prosecutor] or a witness.” “Statements of counsel [prosecutor] in brief or in argument are not sufficient for motion to dismiss or for summary judgment [conviction]” “Where there are no depositions, admissions, or affidavits the court has no facts to rely on for summary determination.”

Porter v. Porter, (N.D. 1979) 274 N.W. 2d 235 “The practice of an attorney [prosecutor] filing an affidavit [unverified statement] on behalf of his client asserting the status of that client is not approved, inasmuch as not only does the affidavit become hearsay, but it places the attorney [prosecutor] in a position of witness thus compromising his role as advocate.”

The organic Constitution 1791 delineates the precise procedures for Congress to enact new laws. Deviation from those procedures or from the customary and traditional procedures that existed to enact laws prior to the establishment of the instrument, would not be the law of the land. While the organic Constitution 1791 does not specifically include the requirement of an enactment clause, as a matter of tradition and custom, enactment clauses were always included at the beginning of each new law, for the purpose of providing the people with due process of law in the form of Notice. *The three essential elements of a Bill are the Title of each proposed new statute/law, the enacting clause, and the body. Some laws also have an optional preamble*”. Harvey Walker, *Law Making in the United States* page 316.

Many causes of action have been ruled invalid by supreme Courts of the several States due to there not having been an enactment clause on the face of the statute/code/etc. and the attempt for enforcement without that traditional and customary requirement.

Before Washington became one of the several states, while still their own territory out west, and therefore, not yet subject to conforming to the organic Constitution 1791 procedures for enactment of a judiciable “law,” a statute was ruled invalid, citing the

enactment clause as a fundamental and compulsory requirement as being a customary and traditional.

**Title 18 of the United States Code does not have an enactment clause**, as required by custom and by tradition, and as specifically named in 46 of the 50 several state's constitutions. Nor is there a unique title for each proposed new statute/law for each one of the Statutes within that Title, as required by tradition and custom. Nor was each statute presented via a Bill to Congress. It lacks the precise process of enactment found within the organic Constitution. The organic Constitution states that for a bill to become law, each proposed statute must be brought before Congress for debate. It must then be brought before Congress assembled for a vote and then sent to the president for signature. The constitution does not state that a compilation of presumed and assumed newly created crimes can be passed in mass, under the cover or umbrella of one title, (Title 18) and provide enforceability under the pretense and under the color of law and authority, as if it was the law of the land. If the precise form and style is not adhered to, it fundamentally lacks force of law.

The Indictment and the Bill of Information in my cause of action names statutes within the United States Code by the blanket name of the Title itself and reference to a subsection of that Title. At no point does either document name the common law crime or the Maxim of Law and its accompanying sanctions as required in the Due Process of Law definition I quoted herein. Judges are required to exercise judicial power, and not statutory power by enforcing statutes. They must also follow the common law, which specifically precludes the naming of statutes as causes of action. As an additional defect, the common law requires a verified statement from the harmed party, naming the accused as the living man or woman who caused that alleged harm. Those requirements are also blatantly missing in both the Indictment and the Bill of Information. **Therefore, both instruments possess fatal defects entitling me to complete defense and to dismissal with prejudice in accordance with these papers and with the lawful remedies sought herein.**

The Sixth Amendment secures my self-executing Right to confront and cross-examine witnesses. Not only have no witnesses been brought forth, but the plaintiff is an artificial creature with no parity with living man, and with no ability to be confronted or cross examined. *Crawford v. Washington (2004): The Sixth Amendment's Confrontation Clause bars the admission of testimonial statements of a witness [federal government, plaintiff] who does not appear at trial unless the witness was unavailable, and the defendant had a prior opportunity for cross-examination.*" This is a fundamental Right, without which it is impossible to have a fair trial. See also *California v. Green (1970)*, *Strickland v. Washington (1984)*, *Shepherd v. Florida (1965)*; *Alderman v. United States (1969)*,

*United States v. Hasting (1983); United States v. Salerno(1987), which even affirms that pretrial detention must also respect the rights of the accused, including the right to confront witnesses.*

As ruled in United States v Hudson & Goodwin, where there is no [lawfully and specific] passed statute by Congress, there is no judicable act. It also affirmed that federal courts could not recognize and punish common-law crimes in the absence of a specific federal statute. It affirmed that “*United States courts do not have common law jurisdiction in criminal cases. The authorities not granted to the federal government by the states are reserved to the states. The only constitutionally created court is the Supreme Court. All other federal courts only possess the jurisdiction given to them by the legislature.*”

If judges are to follow the common law and exercise judicial power, and crimes were reserved to the states, by what constitutional authority can the government create new crimes, that essentially usurp the power of criminal acts being adjudicated by the several states, by giving the acts a new name (such as is found in the US Code), when in essence they are traditionally and customarily common law crimes, by a new name to make them appear as if they are a different species of crimes to which they can now enter the realm of criminal acts judicial authority? Since the only judicable crimes were seen in the common law, and reserved to the several states for adjudication, by what authority can congress legislate into existence new “crimes”, and presume to have constitutional judges enforce these statutory crimes since their only power is to adjudicate following the common law and exercising judicial as opposed to legislative power?

Since Title 18 is a compilation of alleged newly created statutory crimes by Congress, all grouped under the blanket heading of United States Code, with no specific enactment of each statute within that umbrella title, it lacks both the enactment clause for each “crime” and the specificity of that statute as a standalone crime. The de jure constitution provides a specific process by which to enact new laws. Failure to abide by those provisions constitutes an abrogation of the supreme law of the land. Each proposed new statute must be individually introduced to Congress via a Bill. It must then be debated, etc. before it goes before both houses assembled for a vote. The wholesaling of Title 18 wherein there are countless statutes, none of which were submitted as an individual Bill and debated, is an abrogation. When one of The People must go into the bulk Title 18 to hunt for the alleged statutory violation, that process alone deprives The People of Notice, which is a fundamental element of Due Process of Law. Not to mention that codes/rules/etc. are only meant for government employees/officers, and not for The People, and the fact that there is no parity between artificial governments and the living man, and the fact that common law crimes are reserved to be adjudicated by the several states, by what constitutional authority can Title 18 be held to be valid against Sovereign Man? Title 18

violates Due Process of Law found in the Fifth Amendment, because it is ambiguous and does not provide proper Notice to the American people, as a fundamental element of due process of law. It also violates the precise process by which statutes are to be enacted for Title 18 and its content to have any validity.

As mentioned earlier, the FBI does not have a legislatively granted Charter to even exist, that has ever been enacted into law. In fact, there has been an open Bill that was introduced in the mid 1980's that has never been acted upon to date. The FBI not only has no constitutional authority to exist, but it also has no constitutionally proper form of enactment that has ever been promulgated to give lawful "birth" to that agency. Thus, not only does the organic Constitution not afford the federal government an enumerated Right to create that agency, but even if it did have that constitutional power, it could not lawfully delegate it to a for-profit, corporate subagency, such as the FBI. It also lacks proper form and style for the creation of a lawful governmental agency. Again, the FBI has no lawful Charter to even exist.

Yet, the FBI was the agency that investigated the artificially created crime I allegedly committed, in violation of Due Process of Law found in the Fifth Amendment, and in violation of not having received an indictment from a common law Grand Jury, which grand jury would have been seated by a Sheriff, and would have relied upon verified testimony from an injured living man or woman, who also pointed directly to me as the perpetrator of said injury.

As a matter of law, the only crime that was to be investigated by an agency other than the sheriff was the Secret Service's power to investigate counterfeiting because the organic Constitution conferred the power to create our coinage to the federal government. Yet, this power has been unconstitutionally expanded to include all aspects of banking and presumed other financial crimes.

The FBI has also become an institution, with no Congressional Charter, to likewise investigate not just alleged violation regarding financial issues, but generally all newly created allegedly non-common law crimes. Therefore, any evidence the FBI may have acquired that allegedly implicates me in the statutory code violations to which I am unconstitutionally being held to answer, is inadmissible, as a matter of law. Again, judges are presumed to know the law, and they are duty-bound to safeguard the accused from prosecutorial abuse. They have discretionary power to dismiss a case at any time due to constitutional violations and deprivations. I demand that this case be dismissed!

MAXIM: *A delegated power cannot be again delegated.* 2 Inst. 597; *Black's*, 2d, 347. 2 *Bouv. Inst.* n. 1300. *A deputy cannot have (or appoint) a deputy.* *Story, Ag. S.* 13; 9 *Coke*, 77; 2 *Bouv. Inst.* n. 1936.52

*MAXIM: The derivative power cannot be greater than the original from which it is derived. Noy, Max; Wing, Max. 66; Finch, Law, b.1, c. 3*

*MAXIM: Nothing is so becoming to authority as to live in accordance with the laws. Fleta, lib. 1, c. 17, s. 11.*

*MAXIM: In the greatest power there is the least freedom. Hob. 159*

As a Sovereign living Man, the government, known as the artificially created under the color of law and under the color of authority, UNITED STATES OF AMERICA, cannot attain parity with the living man. They must only entertain contracts between other artificial persons and the contracts between them. Pursuant to Penhallow, their only authority is to adjudicate controversies between their corporations, and their contracts, not any presumed tacit acquiescence/procuration to contract they may have assumed.

Contract law has eight elements, and each one must be present for a valid contract. Since artificial governmental entities have no ability to contract with the Sovereign Living Man, plaintiff has no standing in this cause of action. Penhallow v. Doane's Administrators (3 U.S. 54; 1 L. Ed. 57; 3 Dall. 54). "Supreme Court of the United States 1795, "Inasmuch as every GOVERNMENT is an ARTIFICIAL PERSON, an abstraction, and a creature of the mind only, a GOVERNMENT can interface only with other ARTIFICIAL PERSONS. The Imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the Tangible. The legal manifestation of this is that no GOVERNMENT, as well as any Law, agency, aspect, Court, etc. can concern itself with anything other than Corporate, ARTIFICIAL PERSONS and the contracts between them [emphasis added]".

I hereby assert again that the Plaintiff, by and through its actors, masquerading under the color of law and under the color of authority, have continuously violated my self-executing Rights since December 10, 2019. They now seek further enslavement by incarcerating me again for alleged violation of unconstitutionally imposed conditions of release pending trial/sentencing before this kangaroo court, that are, as a matter of law, constitutionally protected Rights. *Miller v. US (5th Circuit) 230 F. 2d. 486 (1956).*

*MAXIM: "The claim and exercise of a constitutional right cannot be converted into a crime."*

Since all constitutional Rights are self-executing. *State ex rel RUSSELL v. Bliss No. 32839, Supra Ohio Last paragraph of 150 Pg and page 151 states... "Accordingly, all provisions of the constitution, are now considered self-executing."* Therefore, any violations or deprivations of self-executing unalienable Rights require no further input from the opposing party, as their proceedings are null and void as a matter of law.

According to the Maxim which states, “*The judge is counselor for the prisoner*” and the fact that judges have taken an oath or affirmation to uphold the organic Constitution, as a matter of law, judges are duty-bound to jealously safeguard the Rights of the accused, and to act upon any encroachment thereof from bad actors, such as the government.

The Second Amendment is a self-executing Right that shall not be infringed, as affirmed numerous times by the SCOTUS. In *Christopher L. Wilson v. Hawaii*, although the cert. was denied, Honorable Justice Clarence Thomas stressed that SCOTUS would take a case again that infringes upon that amendment. And he cites that “...the invocation of constitutional defenses follows from the fact that constitutional rights are “self-executing” prohibitions on governmental action.” *City of Boerne v. Flores*, 521 U.S. 505, 524 (1997). Quoted in *Christopher L. Wilson v. Hawaii* on December 9, 2024, cert. denied.

**MAXIM:** A Right cannot be converted to a privilege.

Thus, my self-executing Second Amendment unalienable Right to bear arms, with no probable cause to deprive me of such Right, has been violated for the last five plus years, as an unlawful pretrial condition of release on an unlawfully obtained plea statement, under extreme duress and with coercion and intimidation. The government extracted this plea statement from me after holding me in jail with no opportunity to post bail for eleven months.

“*A free people ought not only be armed and disciplined, but they should have sufficient arms and ammunition to maintain a status of independence from and who might attempt to abuse them, which would include their own government.*” George Washington.

My self-executing unalienable Right to a Speedy Trial defense was unlawfully stripped from me by the government in collusion with the federal judge who turned a blind eye to the supreme law of the land and acquiesced to the government’s unconstitutionally created scheme to deprive me of that Right by claiming an unlawful exception... i.e. “complex litigation.” *A constitutional violation accrues the moment the government undertakes an unconstitutional act. For example, a violation of the Takings Clause occurs “at the time of the taking”*. *Knick v. Township of Scott*, 588, U.S. 180, 194 (2019). “*That conclusion contravenes the settled principle that Americans need not engage [be subject to] empty formalities [innovations that fundamentally undermine the rule of law] before they can invoke their constitutional rights, and it wrongly reduces the Second [Sixth] Amendment to a “second-class ‘right.”* *McDonald v. Chicago*, 561 U.S. 742, 780 (2010) (plurality opinion).

**MAXIM:** *The law is not subject to innovation. Whatever is subject to the authority of a judge is not subject to innovation.* Therefore, my self-executing Right cannot be

abrogated and diluted/deprived simply by claiming “complex litigation.” Yet I have been deprived of my liberty for well over 5 years. In *Christopher L. Wilson v. Hawaii* “that conclusion contravenes the settled principle that Americans need not engage in empty formalities [complex litigation schemes] before they can invoke their constitutional rights, and it wrongly reduces the Second Amendment to a “second class right.” “A constitutional violation accrues the moment the government undertakes an unconstitutional act. For example, a violation of the Takings Clause occurs “at the time of the taking.”” *Knick v. Township of Scott*, 588 U.S. 180, 194 (2019). And the availability of state-law [federal law] compensation remedies cannot delay or undo the accrual of a takings claim. See *id.* At 193-194.

My self-executing unalienable Right to Liberty and to a Trial by Jury, was denied to me via coercion and intimidation and cruel and unusual punishment when I was forced to remain in jail, and to be held in absolute solitude for up to 72 hours per day, until I succumbed to the pressures of signing a plea statement. This coercive technique was imposed upon me for the sole purpose of intimidating me into accepting an unconstitutionally obtained plea statement. I was promised the granting of bail, in exchange for signing a plea statement, to which I have an unalienable Right immediately upon being arraigned. I was coerced into giving up my self-executing unalienable Right to a Trial by Jury just so that I could be granted bail. Shame on Judge Cecchi for doing this to me. When I was then immediately granted bail, I soon learned that the unconstitutionally imposed pretrial conditions of release were nothing more than a transfer of jail into my parents’ home. I was shackled by a GPS monitor, to which I also was compelled to pay for each month or be held in violation of said condition of release. I was compelled to remain within the confines of my home for the last five years and was only allowed to leave my home at the discretion of my handler, the pretrial services officer, who is employed by a for profit, unlawfully created agency known as the pretrial services board. This all constitutes involuntary servitude, which is unlawful. And it constitutes a complete defense against the plea statement I was illegally coerced into signing.

**MAXIM:** No Sovereign “*freeman shall be deprived of life, liberty, or property but by the lawful judgment of his peers, or by the law of the land – that is by the common law.*”  
*C.L.M.*

- 1- Self-executing Second Amendment violation is automatic grounds for dismissal with prejudice in accordance with papers submitted and lawful remedies sought.
- 2- Self-executing Eighth Amendment violation is automatic grounds for dismissal with prejudice, for not allowing bail until after I was coerced, under extreme duress, intimidation, and false promises.

3- Fifth Amendment Due Process of Law violation for not protecting my unalienable Rights and instead conspiring with the government to deprive me of self-executing unalienable Rights is automatic grounds for dismissal with prejudice. The federal judge is duty-bound to protect my constitutionally protected Rights. The federal judge has full authority to **Ex Parte**, dismiss a case for violation of my unalienable rights and for blatant breach of fiduciary duty on the part of plaintiff.

4- When the federal judge saw that my unalienable Right to bear arms was violated by the magistrate judge when he issued pretrial conditions of release denying my right to bear arms, she was duty-bound to correct the errors of this rogue magistrate "judge".

This federal judge is duty-bound to remove any administrative "judge", who is enforcing statutes, that are not the law of the land, from these proceedings as he has no constitutional authority to even exist with any judicial power in the presumed capacity of a tenured judge, with the obligation to follow the common law, within the Article III, Court of Record/Justice which is promised to Sovereign Americans.

I assert that my God-given, Natural, unalienable, self-executing Rights have been trampled, deprived and violated by rogue bad actors calling themselves magistrate judges for the purpose of self-aggrandizement, and as a stealth scheme to intentionally conceal matters of material fact. This is FRAUD!

Contract law contains eight elements. The government is compelled to prove that I, as a living Sovereign Man, willingly and knowingly consented to each one of those elements, with no duress or coercion or intimidation of any kind. The government must produce on the record, as holder in due course, the presumed contract it obtained from me, wherein, with full knowledge and full disclosure beforehand of all its terms and conditions I willingly consented and wet-inked it. It must also show proof on the record that I fully understood that I was essentially waiving my unalienable constitutionally protected and secure self-executing Rights in favor of corporate privileges of which I would never do.

Notwithstanding the above regarding contract provisions, the fact that the magistrate "judge" has taken an oath or affirmation with bond to uphold the organic Constitution 1791, and intentionally concealed matters of material fact, is cause enough for mandatory sanction. The fact that he is masquerading as a constitutionally qualified judge, and operating under the color of law, and under the color of authority, is cause enough to render his decisions Void for fraud upon the court, fraud upon the people and fraud ab initio. *See Throckmorton FRAUD VITIATES ALL.*

The organic Constitution 1791 mandates that judges follow the common law when conducting their affairs at bar. It also mandates that all constitutional judges take an oath or affirmation with bond to uphold the organic Constitution 1791. Yet, this magistrate

“judge” who does not qualify as a constitutional judge, as stated above, fraudulently, routinely and unconstitutionally continues to wield the judicial Power when he issues decisions that pertain to any matter that can result in a fundamental deprivation or violation of one of my unalienable Rights.

He, too, is duty-bound to safeguard my unalienable Rights. Therefore, by enforcing statutes on this Sovereign Living Man, which statutes are not the law, and by acting as an administrative law “judge” under Articles I & IV and deceiving me via intentional concealment of matters of material facts, my unalienable Rights have likewise been violated and/or deprived.

Administrative judges can only exercise legislative enforcement by express contract. Contracts obtained via presumption/assumption or tacit procuration are void ab initio, upon rescission for fraudulent presumption of acquiescence.

The federal judge is duty-bound to safeguard all my Rights, which includes correcting the errors of the magistrate “judge” whom he unconstitutionally appointed.

Attorneys, who have also taken oaths or affirmations with bond to uphold the organic Constitution 1791 are likewise complicit in this grand scheme to deceive the American people into us believing they are duly licensed and that their singular and primary fiduciary duty is to the client, this living Sovereign Man.

According to 7 Corpus Juris Secundum, BAR-member attorneys owe their first allegiance to the court, and not to their client. If the court is imposing statutes upon the American people, he is required to act against the constitutional Rights of the American people. He does this with no full disclosure, rendering his actions as acts of treason since he too has taken an oath or affirmation to uphold the organic Constitution 1791. He is thus acting in a conspiratorial posture, which is unlawful.

This cause of action extends to my attorneys (past and present) named herein, who have committed Barratry to the tune of approximately \$3 million dollars USD in attorneys’ fees. They have been fired for cause, for fraud, for swindles, and for ineffective assistance of counsel, as a self-executing unalienable Right found in the Sixth Amendment. As stated earlier, the judge has zero constitutional authority to impose a “Faretta hearing” prior to “allowing” a self-executing Right. Yet, he did it anyway as a routine practice whenever a Sovereign Living Man seeks to self-defend, as a prerequisite to exercising constitutionally protected self-executing Rights. See *The Belligerent Claimant Doctrine* mentioned before. I don’t want or need so called “standby counsel” as suggested by the persecutor, Anthony Torntore, when he claimed at the hearing that I was not following the federal rules of criminal procedure. When I asked him, “Which

rule had I violated?" His response was silence... Does this court condone prosecutors lying to the judge? Is there not fraud upon the court?

I also assert and allege that these bad actors have conspired to deprive me of my God-given, Natural, unalienable, self-executing Rights with the judges and the prosecutors, by not jealously defending me, likewise intentionally concealing matters of material fact, FRAUD. They have breached their fiduciary duty to vigorously defend my constitutional Rights throughout these proceedings, or to immediately notify me and voluntarily withdraw from "representation" for their inability or unwillingness to do so, despite them having taken oaths or affirmations with bond to uphold the organic Constitution 1791, and extorting millions of dollars from me, that I gave them in good faith.

When judges/justices violate the plain letter of the law, attempting to interpret what the statute might mean that has been recited on the face of the complaint, they are exercising legislative fiat, by endeavoring to place round pegs into square holes. The statute itself is void for ambiguity in violation of a most fundamental element of Due Process of Law found in the Fifth Amendment. A fundamental element of Due Process of Law is NOTICE... of the specific common law I have violated. The organic Constitution does not promise the interpretation of a legislative enactment/statute/code/etc. as one of the government's powers.

The laws of our land were not written to befuddle or to obfuscate; they were written in clear and simple language for your "average Joe" to understand. Due Process of Law demands NOTICE, which is found in the Maxims of Law and their sanctions therein. Anything short of that constitutes expansion of the written supreme law of the land. Since statutes are not the law of the land, and they are legislatively enacted, they cannot be the basis under which a complaint is submitted because judges/justices are duty-bound to follow the common law, and to exercise only judicial power.

#### CONCLUSION AND REMEDIES SOUGHT

For all the reasons stated herein, I assert that the government has no standing to have brought forth the underlying cause of action. In so doing, it violated and deprived me of my God- given, Natural, unalienable and self-executing Rights. The government is also in breach of fiduciary duty to the American people, rendering all its presumed and assumed laws null and void for over two centuries! Among the non-exhaustive violations and deprivations, I state the following:

- A) First and Fourth Amendment: – Have violated my unalienable rights by imposing unconstitutional conditions of release that impede my unalienable Right to speak with whomever I please, whenever I please when it prohibited me from using a smart phone or a private App such as Signal.
- B) Sixth Amendment: - Have violated my rights by not allowing me to speak with anyone other than foreign agent, BAR-member attorneys to seek assistance with my Sui Juris counsel with privacy.
- C) Sixth Amendment: – Have violated my unalienable Right to confront and to cross-examine witnesses, as they have not brought forth any verified complaints from a competent witness, and prosecutors cannot speak on behalf of the government or admit evidence on behalf of the government as they are hearsay, third-party unverified statements. Also, prosecutors must provide a witness who has sworn a statement claiming injury in fact and that I was the party to cause that injury.
- D) Sixth Amendment: – Have violated my unalienable self-executing Right to a Speedy Trial by acquiescing to the government's argument that this is somehow a “complex litigation” thus depriving me of my self-executing speedy trial violation as automatic grounds for immediate dismissal. Erlinger v. United States, June 21, 2024, “The Sixth Amendment promises that in “all criminal prosecutions the accused” has “the right to a speedy and public trial, by an impartial jury.” Trump v. United States
- E) Second Amendment: – Have violated my unalienable self-executing Right to bear arms, with no probable cause or history on my part of ever having committed a violent offense against anyone.
- F) Fifth Due Process of Law: – Have violated my unalienable and most sacred Right to Liberty, as innocent until proven guilty, which includes trial by jury, conviction and sentencing before I can be constitutionally deprived of any of my unalienable Rights. My Right to unfettered travel to wherever I want whenever I want has been completely denied violating my most sacred Right to liberty.
- G) My Eighth Amendment: Have violated my unalienable self-executing Right to Bail during arraignment.
- H) Fifth Amendment: have violated my constitutional Right to a common law Grand Jury indictment, in contrast to a rubber-stamp statutory, unconstitutional version of a grand jury has been deprived. It also unlawfully brought forth a Bill of Information on a felony charge and I was not offered full disclosure by either my attorneys or by the court of my self-executing Right to a common law grand jury indictment.

I) The common law requires a verified complaint from a living man or woman for it to be a judiciable complaint. None has ever been produced.

J) With no constitutional probable cause from a common law Grand Jury in the form of an indictment, a search and seizure warrant unlawfully issued, by a magistrate administrator, who is not a constitutionally qualified judge, and my parents' home was raided. I did not even live in that home at the time. Many personal items were confiscated, which have never been returned.

K) Among the many violations of Fifth Amendment Due Process of Law, my sacred unalienable Right to Liberty was violated when the magistrate "judge" imposed upon me a GPS monitor, and at my expense, tracking me as if I was a caged wild animal.

L) Seventh Amendment: Have violated my unalienable self-executing Right to Trial by Jury by coercing and intimidating me, while under extreme duress, to make a plea statement to an unconstitutional crime.

**MAXIM:** *An amendment [to the original instrument] is not a repeal. [Fundamental principles are not annulled by amendment.] Mass. Bond & Ins. Co. v. U.S., 352 U.S. 128, 139.*

M) Fifth Amendment: Has been violated by imposing statutes upon me that are null and void on their face for failure to observe traditional and customary enactment form, such as Title 15, Title 26 and Title 18 of the U.S. Code, and for deprivation of Due Process of Law due to not being constitutionally enacted as law, which constitutes ambiguity and vagueness, a fundamental violation of proper Notice.

**MAXIM:** *When the form is not observed, it is inferred that the act is annulled.* 12 Coke. 7.

**MAXIM:** *That which is null produces no effect.* Tray. Leg. Max. 519.

**MAXIM:** *An act of legislature to have full force of law must be intelligibly expressed and when too vague is a nullity.* Larkin v. Consolidated telegraph, 85 N.Y.S. (2d) 631.

N) First Amendment: Have violated my unalienable self-executing Right to practice my religion by imposing conditions of release that deprive me of leaving my home for any reason other than to visit with unconstitutional BAR-Member attorneys, with no lawful licenses, who are foreign agents and are not registered as such, thus intentionally concealing matters of material fact.

O) Fourth Amendment: Have infringed upon and violated my self-executing Right to be secure in my person, papers and personal effects via the pretrial conditions of release

that deprive me any access to my bank accounts, crypto accounts, computer, smart phone, and to unfettered access to healthcare.

P) Fourth Amendment violation for requiring me to be supervised 24/7 by someone living within my home. Whatever happened to the fundamental principle of innocent until proven guilty before our Rights to liberty can be taken from us?

Q) My unalienable Right to seek medical care as I see fit or necessary absent permission from the pretrial services officer, within 3 days of an appointment, infringes upon and violates the human rights treaties, and it violates my right to liberty. Not only are my unalienable Rights violated via the above, but I am prohibited from seeking medical/physical care from any practitioner that is not a Medical Doctor/MD/AMA certified, violating my unalienable Right to contract with whomever I see fit for my physical/emotional/etc. needs and desires.

**For all the above reasons I seek the following remedies:**

1 - I seek the immediate dismissal of all the underlying charges with prejudice in accordance with these papers and the lawful remedies sought herein.

2 - I seek this court immediately return all my property that was unlawfully confiscated, and I seek the government immediately release my property and my parents property from lien.

3 - I seek the immediate removal of the GPS monitor, and my constitutionally protected rights restored.

4 - I seek immediate payment in full as reimbursement of all fees paid to all my past attorneys plus the sum of 20% as restitution for their fraudulent/treasonous deeds and for their wonton violation of my unalienable Rights by intentionally concealing the true relationship between them and me and for their grossly ineffective assistance of counsel.

5 - I seek the sum of 222,222 Bitcoins or Twenty-Two point Two Billion Dollars (\$22.2 Billion dollars) payable to a special trust account of my choosing, by the UNITED STATES OF AMERICA, within three business days of winning this case as my constitutionally lawful right. The government's illegal intervention has harmed over 1 million people! I reserve the unconditional right to further be granted lawful damages from each and every JOHN/JANE DOE within the Federal District Court in the New Jersey District, as fiduciary Trustees of the Public Trust and of the Public Funds, and in their own names for wonton acts of treason and for wonton deprivation and violation of my unalienable self-executing Rights as one of the We the [American] People to whom they are duty-bound to protect our Rights. I seek these funds as a reminder to these

treasonous bad actors that it is each one of the American People that is SOVEREIGN, AND NOT governmental public servants/officers.

**MAXIM:** *When the law gives anything, it gives the means of obtaining it (all incidents are tacitly given)* 2 Inst. 326; 5 Coke 47; 3 Kent, Comm. 421, Hob. 234.

6 - I demand that NO BAR-member attorney past or present, be allowed to profit in any manner from these defenses that I have laid out while “representing” the American People, as punishment for the Barratry they collectively commit against The People while duty-bound to protect the American people. In other words, they must provide their services Pro Bono if they are to choose to use these self-executing Rights as defenses. This demand is my intellectual property. It took me 4 years of studying the law to put it together. It’s use as a defense is given freely by me to innocent *sui juris* “people” to utilize until the courts get back in order and start following the law. My dream is that one day, it will not be needed because the judges and prosecutors will only be prosecuting actual crimes!

7 - I demand that only *Sui Juris* defendants or petitioners be allowed to profit in any manner from the use of these self-executing defenses, in accordance with the late Judge James Alger Fee’s Doctrine of the Belligerent Claimant, which requires that each one of We the [American] People assert our individual unalienable Rights in person/via affidavit.

9 - I demand that each judge, magistrate, prosecutor, clerk of the court who touched this case in any manner be compelled to provide FREE and readily available education to We the [American] People about our constitutional Rights as restitution for their egregious deeds and treasonous acts. This education shall include admission to We the [American] people that they individually wronged us and that this is their way of repenting. God is watching. You cannot escape his judgement.

10 - I demand that all bad actors named herein in this section be ordered to endure the same conditions that I have endured since December 10, 2019, to include incarceration, being moved from location to location for eleven months, no bail for eleven months until they are willing to sign a plea agreement, and then no execution of said plea agreement for four plus years and counting, being held in solitary confinement for 72-hours straight at a time on several occasions, being confined with the most unsavory people on earth... rapists and murderers, strip searched, continuous GPS monitoring, 24/7 supervision in the in-home detention center at their expense, no access to religious worship, no computer, no smart phone, no internet access, no access to hold a TV remote, no access to medical care but from AMA medical doctors, with 3-days advanced notice to be pre-approved, no access to any other natural medicine, no access to a gym outside of the in-home detention

center, no access to real lawyers, as opposed to BAR-member fake and treasonous assistance of counsel, no travel of any kind but by pre-arranged permission to travel to court for hearings or to BAR-member attorney visits, no lawful alcoholic drinking or access to a lawful and natural substance with many proven medicinal benefits. Completely stripped of all access to any financial institution, and/or crypto use or access, seizure of all assets, no access to traveling to the courthouse to file documents to provide Notice to the court of having fired the BAR-member attorneys, etc. This is what fair justice demands.

11- MAXIM: *A workman is worthy of his hire.* I therefore seek the sum of \$5 million USD payable to each one of the 4 constitutional assistance of counsel consultants that have loyally assisted me throughout this ordeal, payable to them within 3 days of dismissal of all charges in accordance with these papers and the remedies sought herein. \$20m total. They shall contact the clerk of the court with their names and bank details.

12- Additionally, considering the same maxim as above, this court demanded that my parents and others act as 24/7 guards/wardens within my parents' home to "supervise" me with the mandate that they must report back to you of any violations I might engage in regarding the unconstitutionally imposed upon me pretrial conditions of release. Accordingly, I seek retroactive payment to them for the services they provided during that period. Given the nature of the supervisory duties wherein they were compelled to report to the court regarding any violations I ascribe the sum of \$35.00 per hour, for 24 hours per day, for the last 4+ years, totaling approximately \$1.5 million USD. The split between the parties will be forthcoming.

12 - I seek full reimbursement for the fees I paid for GPS monitoring which was approximately \$5000.

13 - I seek full reimbursement for all the travel to and from my attorneys and to and from court hearings; amount to be submitted upon dismissal with prejudice.

14- Given the five years I have endured deprivation of my most fundamental and sacred self-executing Rights, while incarcerated within my parents' home for longer than had I been sentenced for the alleged statutory non-crimes, I demand that Findings of Fact, Conclusions of Law and the court's Ruling shall issue within three days of this submission via efile. I have dinner plans for Valentines Day and a daddy daughter dance that I need to attend. Failure to do so shall constitute wanton, negligent, and malicious judicial misconduct for lack of timely response in accordance with Due Process of Law found in the Fifth Amendment. It shall therefore constitute judgment enforceable via mandamus from a higher Court of Justice. This has gone on long enough. It's over now!

I extend a personal thank you to the esteemed SCOTUS from Colorado, The Honorable Justice Neil M. Gorsuch for having the courage, dignity and honor to stand up against the fierce treasonous federal “government” and to take it upon himself to educate We the [American] People during his tour promoting your book in 2024, *Overruled!* I enjoyed reading it immensely!

Thank you to the esteemed SCOTUS Honorable Justice Clarence Thomas for having endured the slings and arrows for decades and standing with We the (American) People in your decisions.

Thank you to the esteemed SCOTUS Honorable Justice Alito for having the courage to likewise issue SCOTUS rulings that are likewise constitutionally compliant.

In Memoriam thank you to the late SCOTUS Honorable Justice Antonin Scalia for his originalist decisions during my lifetime that paved the way for the above-mentioned Justices.

Respectfully submitted, in the year of our Lord and Savior, this 10th day of February 2025, by one of the injured members of the Sovereign We the [American] People.

And the Truth Shall Set Me Free!

Magistrate MICHAEL A. HAMMER  
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Newark, New Jersey 07102

Via USPS 9589071052702257516508  
R.R. 9590940233777227866363

Judge CLAIR C. CECCHI  
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Via USPS 9589071052702257516515  
R.R. 9590940233777227866394

ANTHONY P. TORNTORE  
970 Broad Street 7th Floor  
Newark, New Jersey 07102

Via USPS 9589071052702257516522  
R.R. 9590940233777227867148

Copy sent to:

Honorable Renee Marie Bumb

Via USPS 9589071052702257516454

Chief District Court Judge of R.R. 9590940233777227866424  
U.S. District Court New Jersey  
4th & Cooper Streets  
Camden, NJ 08101

The United States Supreme Court Via USPS 9589071052702257516461  
Honorable Niel Gorsuch R.R. 9590940233777227866417  
1 First Street NE  
Washington DC 20543

President Donald Trump Via USPS 9589071052702257516478  
1600 Pennsylvania Avenue NW R.R. 9590940233777227866400  
Washington, D.C. 20530

DEPARTMENT OF JUSTICE  
Attn: AG Pam Bondi Via USPS 9589071052702257516485  
950 Pennsylvania Avenue R.R. 9590940233777227866387  
Washington, D.C. 20530

Judge Advocate General of the Navy (JAG) Via USPS 9589071052702257516492  
Vice Adm. Christopher C. French R.R. 9590940233777227866370  
Deputy Judge Advocate General of the Navy  
Rear Adm. Lia Reynolds  
1322 Patterson Ave., Suite 3000  
Washington Navy Yard, DC 20374-506

### Notary Verification

I affirm, certify and state that all of the above and foregoing representations are true and correct, to the best of my knowledge, information and belief, under the pains and penalties of perjury, pursuant to the penalties of perjury under the laws of the United States, and by the provisions of 28 USC 1746, so help me God.

Executed in ~~Coconut Creek FL~~ on this 10th day of ~~February~~ in the Year of Our Lord Two Thousand and Twenty-Five (2025).

Affiant: Beneficiary & Holder in due course of JOBADIAH SINCLAIR WEEKS Social security Cestui que Trust, and one of the people as seen in the Constitution.

All Rights Reserved,

Jobadiah from the house of Weeks

*Jobadiah Weeks*

### Notary as Jurat Certificate (Oath or Affirmation)

State of Florida } For verification purposes only} ss.

County of Broward } 10th February

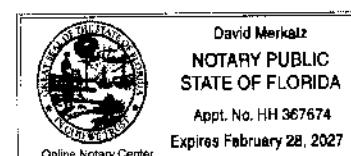
Signed and sworn to (or affirmed) before me on , 2025 by Jobadiah-Sinclair :Weeks d/b/a Jobadiah Sinelair Weeks (name of individual).

Notary's official signature: *David Merkatz*

David Merkatz

Title of Office: Notary Public

My commission expires on: 02/28/2027



Notarial Act performed by Audio-Video Communication.

Title of Document:

**Ex Parte** Demand for Dismissal for Violations of self-executing, unalienable constitutional rights, breach of fiduciary duty, theft, kidnapping, frauds, crimes against humanity, violations of international treaties, RICO, and other matters of law.

Case: #19-cr-877-nj-cecchi, and cc 019-mj-8526

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

v.

Case No. 19-cr-877 (NJ) (CECCHI)

JOBADIAH WEEKS et al  
NOM DE GUERRE, Accused

MOTION TO DISMISS

The United States of America, by and through its undersigned counsel, respectfully moves this Court to dismiss the indictment and information in the above-captioned matter pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure. In support of this motion, the Government states as follows:

1. **Legal Standard:** Under Rule 48(a) of the Federal Rules of Criminal Procedure, the Government may, with leave of the court, dismiss an indictment, information, or complaint. The purpose of this rule is to prevent abuse of prosecutorial discretion while allowing the Government to terminate proceedings when it is in the interests of justice.
2. **Factual and Procedural Background:** On 12/5/2019, the accused, JOBADIAH WEEKS, was indicted on charges related to conspiracy to sell unregistered securities and conspiracy to commit wire fraud. Since the initiation of the case, the Government has conducted a thorough review of the evidence, witness statements, and legal precedent surrounding the alleged offenses.
3. **Grounds for Dismissal:** Upon further investigation and consideration, the Government has determined that proceeding with the prosecution is no longer in the interests of justice for the following reasons:
  - a. **Evidentiary Concerns:** Key evidence initially relied upon has been deemed insufficient or unreliable to sustain the burden of proof beyond a reasonable doubt.
  - b. **Witness Availability and Credibility:** The availability and credibility of crucial witnesses have changed in a manner that significantly undermines the Government's ability to prove its case at trial.
  - c. **Lack of standing and jurisdiction**
4. **In the Interests of Justice:** The dismissal of this matter aligns with principles of prosecutorial discretion and fairness, considering the totality of circumstances surrounding the case.

5. **No Prejudice to the Public Interest:** The Government submits that dismissing the indictment will not adversely affect the public interest, as the decision to dismiss is based on a good-faith assessment of the case's merits and prosecutorial priorities.

WHEREFORE, for the foregoing reasons, the Government respectfully requests that this Court grant its motion to dismiss the indictment against JOBADIAH WEEKS in Case No. 19-cr-877 (NJ) (CECCHI), with prejudice as the Court deems appropriate.

Dated:

Respectfully submitted,

Anthony Tortore  
Assistant United States Attorney  
Office of the United States Attorney  
District of New Jersey

Jobadiah-Sinclair: of the family Weeks (the living man)

On the land of the county at Large, Jefferson

Non-Domestic

c/o 11627 w74th Way

near Arvada, Colorado Republic [80005]

Without the United States (28 U.S.C. 1746)

---

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

---

Jobadiah of the family Weeks

Plaintiff

v.

The United States of America and the  
enterprise members et al

Defendant

Order from Magistrate Hammer

CUSIP attaching number

CC 19-CR-877-NJ-CECCHI

CC 9:19-MJ-8526

Restoration of constitutional rights

Order

ORDER

1. Jobadiah of the family Weeks, the living man and plaintiff, exercising as well as retaining and preserving ALL of his rights without waiving any rights, defenses, Common Law/Exclusive Equity, natural, private commercial, incorporeal, statutory or procedural, a natural living man, not a "person", being of majority status conducting the style condition of **The Principle and Beneficial Equitable Title Holder**, and not an infant/miner or ward of the court, submitted this demand/order to me without accepting any jurisdiction, for he has neither committed any injury nor has any living man or woman, testified or witnessed that he has. And the government doesn't allege that he has either. This fact alone is enough for dismissal of this case.
2. All parties mentioned on the claim (see <https://jobyweeks.com/legal-case/>) that Joby filed via mail and with the court on 1/22/25 are accused of violating the rights of jobadiah-sinclair Family of Weeks also known as Joby, one of "the People" (as seen in the US Constitution Preamble & Colorado Constitution Bill of Rights Article II). The accusations against, the accused, expressed within the affidavit filed with the court via the postal rule and in person, include committing, colluding and conspiracy to commit the following crimes/offenses: "Failing to

uphold the oath you took to the US and State Constitutions and warring against it; Breach of Trust; Attacking a Beneficiary of a Constructive Trust you were unlawfully administering; Breach of your fiduciary duties; Invalid and unlawful warrants issued, resulting in a false arrest and unlawful searches and seizures absent probable cause not supported by Oath or affirmation, in blatant violation of the Constitution; Fraudulent charges predicated on unsworn petitions by prosecuting attorneys; Deprivation of rights for a trial by jury; Confiscation and theft of property without the due process of law; Physical, mental and psychological torture; Denial of bail for non-capital offense; Denial of a speedy trial; Coercion to accept a plea bargain under circumstances of torture and 11 months of unlawful incarceration without a trial, and without the right to face my accusers; Cruel and unusual punishment; Crimes against humanity; Unlawful conversion of me into a “person” (fictitious entity); Human Trafficking and treason”. These are undeniable crimes that he has sufficiently covered in the documents that I read.

3. The accused still have the opportunity to rebut all accusations and charges within the affidavit that was filed in this **court of record**, sworn under penalties of perjury, by Feb 20th 2025. For some unknown reason the clerk was blocked from putting them on the record, which is against the law. Joby demands that all filings served upon the court be placed upon the docket as proscribed by law by 5pm Feb 13th 2025.
4. As of this writing, nothing has been done about the crimes that he has reported, which is a misprison of a felony. All who have read his filings have “mens rea” or “knowledge” and are now accessories after the fact to the conspiracy against his rights and property amongst other things. Joby is correct in his statement that the “coordinated actions of the SEC, FBI, IRS, DOJ, courts, and their co-conspirators demonstrate the hallmarks of a criminal enterprise: a repeated and organized pattern of fraud, extortion, defamation, and jurisdictional overreach aimed at seizing assets and consolidating control over the digital asset market.” These crimes need to end now.
5. This Court was noticed several times in his filings that a service mark owned by Jobadiah Sinclair of the family Weeks with the name “JOBADIAH SINCLAIR WEEKS” is on file with the U.S. Patent and Trademark Office (USPTO #97537251) prohibiting commercial use of the all caps artificial person’s name for the “benefit” of anyone other than Jobadiah Sinclair of the family Weeks. His “fee schedule” was included. He must be paid.
6. Here is proof that the government and this court has been making a fortune by issuing and trading bonds on his intellectual property, birth certificate and even this court case for years! See Cusip numbers below.

Your CUSIP Results are as follows:Your CUSIP Results are as follows:**JOBADIAH SINCLAIR WEEKS (BC 109-81-036355)****Fidelity Government Income Fund**

Symbol:	FV1AX
CUSIP:	31617K782
Inception Date:	10/24/2006
Net Assets:	\$3,449,859,000.00 as of 10/18/2022
Portfolio Assets:	\$3,449,859,000.00 as of 10/18/2022

**JOBADIAH SINCLAIR WEEKS (CC 19-CR-877-NJ-CECCHI)****Fidelity Asset Manager 20%**

Symbol:	FIKVX
CUSIP:	316069418
ISIN:	US3160694184
Inception Date:	10/4/2018
Net Assets:	\$5,547,491,000.00 as of 10/17/2022
Portfolio Assets:	\$5,547,491,000.00 as of 10/17/2022

Your CUSIP Results are as follows:**JOBADIAH SINCLAIR WEEKS (CC 2:19-CR-00877-CCC)****PIMCO StockPLUS Small Fund**

Symbol:	PCKAX
CUSIP:	72201F698
ISIN:	US72201F6988
Inception Date:	3/23/2009
Net Assets:	\$1,316,629,000.00 as of 10/16/2022
Portfolio Assets:	\$1,316,629,000.00 as of 10/16/2022

7. After the hearing we had on (2/5/25) with the prosecution team, I have decided to read all the documents he has filed and GRANT this order.

A. It is ORDERED that all filings served upon the court be placed upon the docket as prescribed by law by 5pm Feb 13th.

B. It is ORDERED that the electronic shackle be removed from his ankle that has been used as a slave monitor device for the last 5 years and that **ALL his constitutionally protected rights be restored**.

Case No: 19-cr-877-CCC *In the Admiralty*

IT IS ORDERED, ADJUDGED AND DECREED that this cause of action is DISMISSED with prejudice.  
SO, ORDERED.

SIGNED on this the    day of                   , 20  .

Judge

ENTERED on this the \_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

Clerk

Jobadiah-Sinclair: of the family Weeks (the living man)

On the land of the county at Large, Jefferson

Non-Domestic

c/o 11627 w74th Way

near Arvada, Colorado Republic [80005]

Without the United States (28 U.S.C. 1746)

---

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

Jobadiah of the family Weeks

Plaintiff

v.

The United States of America and the  
enterprise members et al

Defendant

Order from Judge Cecchi  
CUSIP attaching number  
CC 19-CR-877-NJ-CECCHI  
CC 9:19-MJ-8526

Case Dismissed Order

ORDER

1. Jobadiah of the family Weeks, the living man and plaintiff, exercising as well as retaining and preserving ALL of his rights without waiving any rights, defenses, Common Law/Exclusive Equity, natural, private commercial, incorporeal, statutory or procedural, a natural living man, not a "person", being of majority status conducting the style condition of **The Principle and Beneficial Equitable Title Holder**, and not an infant/miner or ward of the court, submitted this demand/order to me without accepting any jurisdiction, for he has neither committed any injury nor has any living man or woman, testified or witnessed that he has. And the government doesn't allege that he has either. This fact alone is enough for dismissal of this case.
2. All parties mentioned on the claim (see <https://jobyweeks.com/legal-case/>) that Joby filed via mail and with the court on 1/22/25 are accused of violating the rights of jobadiah-sinclair Family of Weeks also known as Joby, one of "the People" (as seen in the US Constitution Preamble & Colorado Constitution Bill of Rights Article II). The accusations against, the accused, expressed within the affidavit filed with the court via the postal rule and in person on Jan 22, 2025, include committing, colluding and conspiracy to commit the following crimes/

offenses; "Failing to uphold the oath you took to the US and State Constitutions and warring against it; Breach of Trust; Attacking a Beneficiary of a Constructive Trust you were unlawfully administering; Breach of your fiduciary duties; Invalid and unlawful warrants issued, resulting in a false arrest and unlawful searches and seizures absent probable cause not supported by Oath or affirmation, in blatant violation of the Constitution; Fraudulent charges predicated on ~~unsworn~~ petitions by prosecuting attorneys; Deprivation of rights for a trial by jury; Confiscation and theft of property without the due process of law; Physical, mental and psychological torture; Denial of ~~bail~~ for non-capital offense; Denial of a speedy trial; Coercion to accept a plea bargain under circumstances of torture and 11 months of unlawful incarceration without a trial, and without the right to face my accusers; Cruel and unusual punishment; Crimes against humanity; Unlawful conversion of me into a "person" (fictitious entity); Human Trafficking and treason". These are undeniable crimes that he has sufficiently covered in the documents that I read.

3. The accused still have the opportunity to rebut all accusations and charges within the affidavit that was filed in this **court of record**, sworn under penalties of perjury, by Feb 20th 2025. For some unknown reason the clerk was blocked from putting them on the record, which is against the law. Joby demands that all filings served upon the court be placed upon the docket as proscribed by law by 5pm Feb 13th 2025.
4. As of this writing, nothing has been done about the crimes that he has reported, which is a misprison of a felony. All who have read his filings have "mens rea" or "knowledge" and are now accessories after the fact to the conspiracy against his rights and property amongst other things. Joby is correct in his statement that the "coordinated actions of the SEC, FBI, IRS, DOJ, courts, and their co-conspirators demonstrate the hallmarks of a criminal enterprise: a repeated and organized pattern of fraud, extortion, defamation, and jurisdictional overreach aimed at seizing assets and consolidating control over the digital asset market." These crimes need to end now.
5. This Court was noticed several times in his filings that a service mark owned by Jobadiah Sinclair of the family Weeks with the name "JOBADIAH SINCLAIR WEEKS" is on file with the U.S. Patent and Trademark Office (USPTO #97537251) prohibiting commercial use of the all caps artificial person's name for the "benefit" of anyone other than Jobadiah Sinclair of the family Weeks. His "fee schedule" was included. He must be paid.
6. Here is proof that the government and this court has been making a fortune by issuing and trading bonds on his intellectual property, birth certificate and even this court case for years! See Cusip numbers below.

Your CUSIP Results are as follows:Your CUSIP Results are as follows:

**JOBADIAH SINCLAIR WEEKS (BC 105-01-030345)**  
**Fidelity Government Income Fund**  
 Symbol: FVIAX  
 CUSIP: 31617K782  
 Inception Date: 10/24/2006  
 Net Assets: \$3,449,859,000.00 as of 10/18/2022  
 Portfolio Assets: \$3,449,859,000.00 as of 10/18/2022

**JOBADIAH SINCLAIR WEEKS (CC 19-CR-877-NJ-CECCHI)**  
**Fidelity Asset Manager 20%**  
 Symbol: FIKVX  
 CUSIP: 316069418  
 ISIN: US3160694184  
 Inception Date: 10/4/2018  
 Net Assets: \$5,547,491,000.00 as of 10/17/2022  
 Portfolio Assets: \$5,547,491,000.00 as of 10/17/2022

Your CUSIP Results are as follows:

**JOBADIAH SINCLAIR WEEKS (CC 2:19-CR-00877-CCC)**  
**PIMCO StocksPLUS Small Fund**  
 Symbol: PCKAX  
 CUSIP: 72301P698  
 ISIN: US72201P6988  
 Inception Date: 3/25/2009  
 Net Assets: \$1,316,629,000.00 as of 10/16/2022  
 Portfolio Assets: \$1,316,629,000.00 as of 10/16/2022

7. After the hearing on (2/5/25) with Magistrate Hammer and the prosecution team, I have read all the documents he has filed and here by GRANT this order.

- A. It is ORDERED that the \$2m bail bond be released, the property that was stolen without due process be returned and the balance of \$14,793,840 in lost value, be paid to the Joby within 48 hours of this order. (\$2m worth of Bitcoin in 2019 was 147 Bitcoins. Today 147 Bitcoins is worth \$14,793,840) He would prefer payment in Bitcoin.
- B. It is ORDERED that all filings served upon the court be placed upon the docket as prescribed by law by 5pm Feb 13th.
- C. It is ORDERED that the "notice of the rescission of the plea statement" in those filings he sent to the court be recognized and confirmed by this court.

- D. It is ORDERED that the electronic shackle be removed from his ankle that has been used as a slave monitor device for the last 5 years and that **ALL his constitutionally protected rights be restored.**
- E. Based on the evidence and affidavits submitted in the filings, recognizing that there was no standing and no jurisdiction for this action to begin with, the court ORDERS a Dismissal of ALL charges, with prejudice, against the JOBADIAH WEEKS trust and the expungement of the entire record regarding this frivolous persecution.
- F. It is ORDERED that the court set forth a full stand down order and every officer, agent, enterprise member who are now defendants in this instant case, shall cease and desist each and every action targeted against him and be noticed regarding such by 5pm today, Feb 13th 2025.
- G. Joby DEMANDS justice for himself and the 1 million Bitclub members who were harmed by unlawful government intervention in their foreign, private membership association that did not use money or touch the US Financial system. His counter claim against the accused of 222,222 Bitcoins (\$22.2B USD) is GRANTED.
- H. It is ORDERED that all of the Bitclub members' assets also be returned to them within 30 days of this order.
- I. It is ORDERED that all the other demands in the Ex Parte Demand for Dismissal document be GRANTED

8. ADMITTED: The prosecution team has no jurisdiction or standing to even have a "speedy trial" to begin with, which is one of the many reasons why there hasn't been one after 5 long years of injustice. MAXIM: Justice delayed is justice denied. Its unbelievable that after 5 years, the prosecution team still couldn't put together a case. They are supposed to have evidence to go to trial and convict someone BEFORE they start kidnapping people and stealing their property. This is a huge violation of due process and it cannot go unpunished. The government destroyed what would be the equivalent of a multi BILLION dollar private membership association with their illegal intervention which harmed over a million people, hundreds of whom have signed sworn affidavits and are ready to testify against the government if this non sense continues. Based on the overwhelming and undeniable evidence that destroys the prosecutions false and frivolous narrative, the prosecution team has no leg to stand on and the "case dismissed" order is hereby GRANTED. This action ends now. Shame on the prosecution team for wasting so much time and money and for injuring over 1 million people!

Case No: *19-cr-877-CCC In the Admiralty*

IT IS ORDERED, ADJUDGED AND DECREED that this cause of action is DISMISSED with prejudice.

SO, ORDERED.

SIGNED on this the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
Judge

ENTERED on this the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
Clerk

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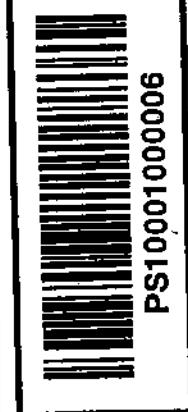
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